



CRL OP(MD). No.8578 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8578 of 2024

Rajkumar,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Ponnamaravathi Police Station
Pudukottai District
Cr.No.80 of 2024.

... Respondent/Complainant

For Petitioner : Mr.A.Arun Prasad, Advocate.
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER :-

For Anticipatory Bail in Crime No.80 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police in connection with the case in Crime No.80 of 2024 for the offence under Section 379 I.P.C r/w. Section 21 (1) of Mines and Minerals (Development and Regulation) Act,



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1957, has filed this petition, seeking anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally transported $\frac{3}{4}$ unit of river sand by using Mahindra Bollero Pickup.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, to show his bona fide, he is prepared to deposit a sum of Rs.15,000/- to the credit of the Chief Educational Officer, Pudukkottai, for usage of the welfare of the students.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submits that the investigation is yet to be completed. However, he fairly submits that the petitioner is having one previous case, which is similar in nature.

5. Considering the nature of minerals involved and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned learned Judicial Magistrate, on condition that

(i) the petitioner shall pay a sum of Rs.15,000/- (Rupees Fifteen Thousand Only)

to the credit of Chief Educational Officer, Pudukkottai District, without prejudice to

<https://www.mhc.tn.gov.in/judis>



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his rights and contentions before the trial Court. This fund will be utilized for purchasing drinking water purposes in Schools. On such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner.

(ii) the petitioner executes a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each, for a like sum to the satisfaction of the learned Judicial Magistrate, Ponnamaravathi;

(iii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

(iv) The petitioner shall appear before the respondent police daily at 10.30 am for a period of two weeks and thereafter shall appear as and when required by the respondent police. He has to co-operate for the investigation.

(v) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

(vi) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

7. It is needless to say that any tool or instrument or vehicle used for illegal quarrying / transportation of sand is liable to be seized under Section 21(4) of the Mines and Minerals (Development & Regulation) Act, 1957 and any vehicle or



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instrument or tool which has been seized under Section 21(4) of the Mines and Minerals (Development & Regulation) Act, 1957, is liable to be confiscated.

sd/-
12/06/2024

/ TRUE COPY /

/06/2024
Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 THE JUDICIAL MAGISTRATE,
PONNAMARAVATHI, PUDUKKOTTAI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
PONNAMARAVATHI POLICE STATION
PUDUKOTTAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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COPY TO
THE CHIEF EDUCATIONAL OFFICER,
PUDUKKOTTAI DISTRICT.

ORDER
IN
CRL OP(MD) No.8578 of 2024
Date :12/06/2024

PKP/GS/SAR /24.06.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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