



CRL OP(MD).No.8740 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Vigneshkumar

... Petitioner/Rank Not Known

Versus

The State Rep. by
The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(*)Cr.No.266 of 2024

... Respondent/Complainant

(*)Amended as per Order of the Court
dt.20/06/2024 in Crl.MP(MD).6202/2024 in
Crl.OP(MD).8740/2024

For Petitioner: Mr.P.Veerapandi

Advocate

For Respondent : Mr.B.Thanga Aravindh

Government Advocate (Crl. Side)

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

PRAYER :- For Anticipatory Bail in (*)Crime No.266 of 2024 on the file of the
Respondent Police.



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ORDER: The Court made the following order :-

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The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in (*)Crime No.266 of 2024, for the offence under Section 379 IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally transported one unit of river sand in a vehicle.

3. The learned Government Advocate (Crl. Side) opposes for grant of anticipatory bail on the ground that the petitioner is having three previous cases.

4. The learned counsel appearing for the petitioner submits that the petitioner has now realized his mistake and also paid a sum of Rs.20,000/- (Rupees twenty thousand only) to the Madurai East Panchayat Union Primary School, Y.Othakadai, Madurai, for the welfare of the school students. He further submits that the petitioner also undertakes that he will not indulge in any other offence in future.

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

6. Accordingly, this Criminal Original Petition is ordered 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



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learned Judicial Magistrate on condition that

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(i) 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, Thiruppuvanam, Sivagangai District.

(ii) 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;

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

(iv) The petitioner shall file an undertaking affidavit that he will not indulge in any other offence in future, before the respondent Police.

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

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



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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 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/-
20/06/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

TO

1 THE JUDICIAL MAGISTRATE,
THIRUPPUVANAM, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.P.VEERAPANDI, Advocate (SR-6772[I] dated 21/06/2024)



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ORDER
IN
CRL OP(MD) No.8740 of 2024
Date :20/06/2024

SA/JGB/SAR. /03.07.2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.