



CRL OP(MD). No.8738 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8738 of 2024

1. Raju @ Rajesh

2. Krishnamoorthy

... Petitioners/ Accused No.2 & 3

Vs

The Inspector of Police,
Kollidam Police Station,
Trichy District
Crime No.103/2024.

... Respondent/ Complainant

For Petitioner : M/s.Sathya Chidambaram.S,
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.103/2024 on the file of the respondent police



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ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police in connection with Crime No.103 of 2024 for the offence under Section 379 of IPC r/w Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, have filed this petition.

2.The case of the prosecution is that the petitioners have illegally transported one unit of river sand.

3.The learned counsel for the petitioners submitted that the petitioners are innocents and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl. side) appearing for the respondent police raised serious objections that the petitioners have illegally transported one unit of river sand. However, he fairly conceded that no previous case is pending against the petitioners.



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5. Considering the facts and circumstances of the case and also considering the nature of mineral involved, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Srirangam, Trichy, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

i) The petitioners 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;

ii) The petitioners 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. They have to co-operate for the investigation.

iii) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution



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witnesses. They shall be available for the trial as well.

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iv) On violation of any of the above conditions by the petitioners, 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 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/-
14/06/2024

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

SJI

TO

1. The Judicial Magistrate, Srirangam, Trichy,
2. Do-Through The Chief Judicial Magistrate,
Trichy District.



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3. The Inspector of Police,
Kollidam Police Station,
Trichy District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-6576[I] dated
18/06/2024)

ORDER
IN
CRL OP(MD) No.8738 of 2024
Date :14/06/2024

RK/VR (25/06/2024) 5P / 6C
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