



CRL OP(MD).No.8837 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.8837 of 2024

Mathankumar

... Petitioner/Sole Accused

Versus

The Inspector of Police,
Thogur Police Station,
Thanjavur District.
(Crime No.154 of 2024)

... Respondent/Complainant

For Petitioner	:	Mr.T.Eashwar, Advocate
For Respondent	:	Mr.M.Sakthi Kumar Government Advocate (Crl. Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.154 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 a case in Crime No.154 of 2024, for the offence punishable under Sections 379 of IPC and Section 21(1) of Mines and Minerals (Development and



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Regulation), Act 1957, has filed this petition seeking anticipatory bail.

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2.The case of the prosecution is that the petitioner has illegally transported 2 bags of river sand in his two wheeler bearing Registration No.TN-49-BB-9416. Hence, the case.

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. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the petitioner has no previous case pending against him.

5.Considering the facts and circumstances of the case, quantity of mineral and also the petitioner's antecedents, 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 his arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District, on condition that

(i) the petitioner execute 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, Thiruvaiyaru, Thanjavur District.



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(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 his residence address;

(iii) The petitioner shall appear before the respondent police as and when required for interrogation. He has to co-operate for the investigation.

(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.

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 under Section 21(4-A) of the Act.

sd/-
18/06/2024

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/07/2024

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

jbr



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TO

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1 THE JUDICIAL MAGISTRATE, THIRUVAIYARU

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE, THOGUR POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.T.EASHWAR, Advocate (SR-6686[I] dated 19/06/2024)

ORDER

IN

CRL OP(MD) No.8837 of 2024

Date :18/06/2024

RS/JGB/SAR-(10.07.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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