



CRL OP(MD). No.9114 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.9114 of 2024

1. K.Selvaraj

(*)2. K.Pandi Durai S/o.Kalimuthu

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Mimisal Police Station,
Pudukottai District
Crime No.62/2024

... Respondent/ Complainant

For Petitioners : Mr.K.Sathish Kumar, Advocate.

For Respondent : Mr.M.Sakthikumar, Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.62/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police in connection with Crime No.62 of 2024 for the offence under Section 379 of IPC and Sections 21(1) and 21(2) of Mines and Minerals (Development and Regulation) Act,

1957, have filed this petition seeking anticipatory bail.

<https://www.mhcothm.gov.in/judis>



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2.The case of the prosecution is that each of the petitioner has illegally transported $\frac{1}{2}$ unit of river sand in two bullock carts. Hence, the case.

3.The learned counsel for the petitioners submits that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) has raised serious objections and submits that each petitioner has illegally transported $\frac{1}{2}$ unit of river sand in two bullock carts.

5.Considering the facts and circumstances of the case and the quantity of minerals involved in this case, this Court is inclined to grant anticipatory bail to the petitioners.

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, Manamelkudi, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:



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(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 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 witnesses.

(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.

sd/-
21/06/2024

(*) Amended as per order of this
Hon'ble Court in CRL MP(MD).
7646/2024 in CRL OP(MD).9114/2024
dated 31/07/2024

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/08/2024

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

SJI
TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
10/07/2024

1 THE JUDICIAL MAGISTRATE, MANAMELKUDI.



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2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE, MIMISAL POLICE STATION,
PUDUKOTTAI DISTRICT.

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

+1 CC to M/s.K.SATHISH KUMAR, Advocate (SR-9203[I] dated 01/08/2024)

ORDER

IN

CRL OP(MD) No.9114 of 2024

Date :21/06/2024

RS/VR/SAR-(04.07.2024) 4P 6C

RS/JGB/SAR-(08.08.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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