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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.9282 of 2024

1. Manikandan
2. Seenivasan
3. Mookaiyan
4. Karuppaiya ... Petitioners/Rank Not Known

Vs

The Inspector of Police,
Vattathikottai Police Station,
Tanjavur District,
Crime No.182/2024 ... Respondent/Complainant

For Petitioners : Mr.R.J.Karthick, 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.182/2024 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 a case in Crime No.182 of 2024, for the offence punishable under

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Sections 511 and 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, have filed this petition seeking anticipatory bail.

2.The case of the prosecution is that each of the petitioner has illegally transported ¼ unit of river sand. Hence, the case.

3.The learned counsel appearing 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) appearing for the respondent Police submits that the first petitioner is having two previous cases of similar in nature and the petitioners 2 to 4 are having no previous case.

5.Since the first petitioner is having two previous cases of similar nature, this Court is not inclined to grant anticipatory bail to the first petitioner. Hence, this petition is dismissed in respect of the first petitioner.

6.Considering the facts and circumstances of the case, the quantity of the mineral and also considering the antecedent of the petitioners 2 to 4, this Court is inclined to grant anticipatory bail to the petitioners 2 to 4.

7.Accordingly, this Criminal Original Petition is partly allowed and the petitioners 2 to 4 are ordered to be released on bail in the event of their arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of

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this order, before the learned Judicial Magistrate on condition that

(i) the petitioners 2 to 4 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 Judicial Magistrate Court, Pattukottai.

(ii) The petitioners 2 to 4 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 petitioners 2 to 4 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.

(iv) The petitioners 2 to 4 shall not misuse the liberty granted to them 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 petitioners 2 to 4, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
25/06/2024

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/07/2024

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

SJI

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TO

1 THE JUDICIAL MAGISTRATE, PATTUKOTTAI.

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

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

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

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-6895[I] dated 25/06/2024)

ORDER
IN
CRL OP(MD) No.9282 of 2024
Date :25/06/2024

RS/GS/SAR-(02.07.2024) 4P 6C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023

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