



CRL OP(MD). No.9278 of 2024

WEB COPY

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.9278 of 2024

Tamizhazhagar @ Tamilarasan

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Thathaiyankarpettai Police Station,
Trichy District
Crime No.98/2024

... Respondent/Complainant

For Petitioner : Mr.D.Anbarasu, 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.98/2024 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 Crime No.98 of 2024 for the offence under Sections 379 IPC and 21 (4) of Mines and Minerals (Development and Regulation) Act, 1957, has filed this

petition

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.9278 of 2024

WEB COPY

2.The case of the prosecution is that the petitioner has illegally transported 1 ½ unit of red gravel sand in a Tractor.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl. side) submits that no previous case is pending against the petitioner.

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

6.Accordingly, this Criminal Original Petition is allowed 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 Judicial Magistrate Court, Thuraiyur, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

i) 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;



CRL OP(MD). No.9278 of 2024

WEB COPY

ii) 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.

iii) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.

iv) 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.

sd/-

25/06/2024

/ TRUE COPY /

/07/2024

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

SJI



CRL OP(MD). No.9278 of 2024

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE, THURAIYUR.

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

3 THE INSPECTOR OF POLICE, THATHAIYANKARPETTAI POLICE STATION,
TRICHY DISTRICT.

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

+1 CC to M/s.D.ANBARASU, Advocate (SR-6888[I] dated 25/06/2024)

ORDER
IN

CRL OP(MD) No.9278 of 2024

Date :25/06/2024

RS/JGB/SAR-(02.07.2024) 4P 6C

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