



CRL OP(MD). No.9459 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/06/2024

PRESENT

The Hon`ble Mr.Justice **B.PUGALENDHI**

CRL OP(MD). No.9459 of 2024

Sivalingam

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Sethubavachathiram Police Station
Thanjavur District.
Crime No.174/2024.

... Respondent/Complainant

For Petitioner : M/s.Karuppasamy.K, 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.174/2024 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



CRL OP(MD). No.9459 of 2024

connection with a case in Crime No.174 of 2024, for the offence punishable under Section 379 IPC and Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally transported 1/4 unit of river sand in bullock cart. 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 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.

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



CRL OP(MD). No.9459 of 2024

concerned learned Judicial Magistrate on condition that

WEB COPY

(i) the petitioner shall 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 District Munsif cum Judicial Magistrate, Peravurani, Thanjavur District.

(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 their 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.

sd/-

27/06/2024

/ TRUE COPY /

/07/2024

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

LR



CRL OP(MD). No.9459 of 2024

TO

1 THE DISTRICT CUM JUDICIAL MAGISTRATE,
PERAVURANI, THANJAVUR DISTRICT.

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

3 THE INSPECTOR OF POLICE
SETHUBAVACHATHIRAM POLICE STATION
THANJAVUR DISTRICT.

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

ORDER
IN

CRL OP(MD) No.9459 of 2024

Date :27/06/2024

SS/GS/SAR- /05/07/2024/4P/5C

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