



CRL OP(MD).No.9556 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.9556 of 2024

Boobalan

... Petitioner/ Accused Rank Not Known

Versus

State rep. by
The Inspector of Police,
Mandalamanickam Police Station,
Ramanathapuram District.
(Cr. No.38 of 2024)

... Respondent/Complainant

For Petitioner : Mr.G.Vishnuram,Advocate

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime No.38 of 2024 on the file of the Respondent Police.



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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.38 of 2024, for the offence punishable under Section 379 IPC r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally transported 2 units of river sand by using the tractor.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

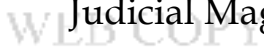
4. The learned Government Advocate (Crl. side) appearing for the respondent submits that no previous case is pending against the petitioner.

5. Considering the quantity of the minerals 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 learned Judicial Magistrate, Kamuthi, 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 Mag

(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.

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/07/2024
Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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JBR
TO
WHY COPY

- 1 THE JUDICIAL MAGISTRATE,KAMUTHI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
MANDALAMANICKAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.9556 of 2024
Date :28/06/2024

PKP/JGB/SAR /10.07.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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