



CRL OP(MD). No.9607 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 01/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

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Sathishkumar @ Sathish,

... Petitioner/ Accused 2

Vs

The Inspector of Police,  
Adirampattinam Police Station,  
Thanjavur District,  
Crime No.188/2024.

... Respondent/ Complainant

For Petitioner : Mr.B.Anandan,  
Advocate.

For Respondent : Mr.R.M.Anbunithi,  
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No.188/2024 on the file of the  
respondent police

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent  
police for the offences punishable under Sections 21(1) of Mines and Minerals



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(Development and Regulation) Act, 1957 r/w. 379 IPC in Cr.No.188 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that when the respondent Police conducted a vehicle check up on 12.06.2024 the petitioner herein and other accused have illegally transported one unit of river sand by using vehicle bearing Regn.No.TN 55 V 0362. Hence, the case.

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

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the property has been recovered and the petitioner is having one previous case in similar nature and the investigation of the case is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the property has been recovered, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Pattukkottai, Thanjavur District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees



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Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner is directed to pay a sum of Rs.2,500/- (Rupees Two Thousand and Five Hundred only) to the Headmistress, Government High School, Sathiyamoorthy Nagar, Madurai (Account No:-30641540761, IFSC Code:- SBIN0016503, State Bank of India, Samyanallur, Madurai) without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(b) petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with



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law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
01/07/2024

/ TRUE COPY /

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

TRP  
TO  
1 THE JUDICIAL MAGISTRATE,  
PATTUKKOTTAI, THANJAVUR DISTRICT.

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

3 THE INSPECTOR OF POLICE,  
ADIRAMPATTINAM POLICE STATION,  
THANJAVUR DISTRICT,

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

COPY TO:  
THE HEADMISTRESS,  
GOVERNMENT HIGH SCHOOL, SATHIYAMOORTHY NAGAR,  
MADURAI.

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+1 CC to M/s.B.ANANDAN, Advocate ( SR-7262[I] dated 02/07/2024 )

ORDER  
IN  
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Date :01/07/2024

SA/VR/SAR. /10.07.2024/5P/7C

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