



CRL OP(MD)No.10392 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 12.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Raja

... Petitioner/ Accused 1

Vs

The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
(Crime No.152 of 2023)

... Respondent/ Complainant

For Petitioner : Mr.K.M.Karunakaran, 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.152 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 IPC r/w Section 21(1) of the Mines and Minerals(Development and Regulation) Act, 1957 in Crime No.152 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused have



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illegally transported ½ unit of river sand by using Tata 407 Van.

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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. Further, he submits that the petitioner has now changed his attitude and he is now doing some social activities. Even now, ie., on 01.07.2024, he deposited a sum of Rs.30,000/- in favour of the Chief Educational Officer, Thanjavur, for the purpose of welfare of the Government Schools. The petitioner is also prepared to file an affidavit of undertaking that he will not indulge in any offence in future.

4.The learned Government Advocate(Crl.side) for the respondent also confirms that the petitioner deposited a sum of Rs.30,000/- in favour of the Chief Educational Officer, Thanjavur.

5.Considering the facts and circumstances of this case and also considering the change in the attitude of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

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 learned Judicial Magistrate, Pattukottai on condition that the petitioner shall execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties



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each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukottai

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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.
- ii. The petitioner shall appear before the respondent police daily at 10.30 am until further orders. 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. The petitioner 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.

sd/-

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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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GNS

TO

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1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.

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

3 THE INSPECTOR OF POLICE,
PATTUKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-7844[I] dated 12/07/2024)

ORDER IN

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Date :12/07/2024

SA/JGB/SAR. /22.07.2024/4P/6C

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