



CRL OP(MD)No.10173 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 10.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.10173 of 2024

Premkumar

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.
(Crime No.582 of 2024)

... Respondent/Complainant

For Petitioner : Mr.A.Arun Prasad,Advocate

For Respondent : Mr.P.Kottaichamy,
Government Advocate(Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.582 of 2024 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 303(2) BNS r/w Section 21(4) of the

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



CRL OP(MD)No.10173 of 2024

Mines and Minerals(Development and Regulation) Act, 1957 in Crime No.582 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported $\frac{1}{4}$ unit of river sand by using bullock cart.

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 is ready and willing to deposit a sum of Rs.10,000/- in favour of the “Chief Educational Officer, Thanjavur” for the welfare of the Government Schools.

4.The learned Government Advocate(Crl.side) for the respondent submits that the petitioner is having one previous case pending, which is similar in nature.

5.Considering the facts and circumstances of this case and the willingness 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



CRL OP(MD)No.10173 of 2024

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 No.III, Thanjavur on condition that 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 Judicial Magistrate No.III, Thanjavur 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. As per the undertaking given by the petitioner, he shall deposit a sum of Rs.10,000/-(Rupees Ten Thousand only) in favour of the "Chief Educational Officer, Thanjavur" for the welfare of the Government Schools.
- 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.



CRL OP(MD)No.10173 of 2024

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The petitioner shall be available for the trial as well.

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/-
10/07/2024

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

GNS

TO

- 1 THE JUDICIAL MAGISTRATE NO.III
THANJAVUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
AYYAMPETTAI POLICE STATION
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



CRL OP(MD)No.10173 of 2024

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COPY TO

THE CHIEF EDUCATIONAL OFFICER
THANJAVUR.

+1 CC to M/s.A.ARUN PRASAD, Advocate (SR-7706[I] dated 10/07/2024)

ORDER
IN
CRL OP(MD) No.10173 of 2024
Date :10/07/2024

PKP/GS/SAR /18.07.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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