



CRL OP(MD).No.10267 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)**

Date : 15.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Manikandan

... Petitioner/ Accused NO.1

Versus

**The State rep. by
The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
(Crime No. 96 of 2024)**

... Respondent/Complainant

**For Petitioner : Mr.D.Ramesh Kumar, Advocate
For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)**

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.96 of 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 connection with a case in Crime No.96 of 2024, for the offence under Section 379 IPC



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and 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 along with other accused persons has illegally transported 31 cement bags of river sand in a vehicle bearing Reg.No.TN43 B 5754.

3. This is the second anticipatory bail petition. The earlier anticipatory bail petition filed by the petitioner in CrI.O.P.(MD)No.8268 of 2024 was dismissed by this Court on 06.06.2024.

4. The learned counsel appearing for the petitioner submits that the petitioner has now contributed a sum of Rs.10,000/- (Rupees ten thousand only) to the credit of the Chief Educational Officer, Sivagangai District, for the purpose of providing any amenities, like, drinking water facility, toilet facility or smart class room, to any one of the Government Schools in Sivagangai District.

5. The learned Government Advocate (Crl. Side) submits that the investigation is yet to be completed.

6. Considering the nature of offence and also considering the change in attitude of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a



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period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate on condition that

(i) the petitioner executes 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, Thirupuvanam, Sivagangai 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 daily at 10.30 a.m. until further orders. He has to co-operate for the investigation.

(iv) The petitioner shall file an undertaking affidavit before the respondent Police that he will not indulge in any other offence in future.

(v) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

(vi) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

8. 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
<https://www.mhc.tn.gov.in/judis>



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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.

sd/-
15/07/2024

/ TRUE COPY /

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

OGY

TO

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



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COPY TO
WEB COPY

THE CHIEF EDUCATIONAL OFFICER
SIVAGANGAI DISTRICT.

ORDER
IN
CRL OP(MD) No.10267 of 2024
Date :15/07/2024

PKP/VR/SAR /24.07.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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