



CRL OP(MD)No.10206 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.10206 of 2024

Sabari

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Musiri Police Station,
Trichy.
(Crime No.176 of 2024)

... Respondent/Complainant

For Petitioner : Mr.K.Arunraj,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.176 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 Sections 303(2) of the Bharathiya Nyaya
<https://www.mhc.tn.gov.in/judis>



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Sanhita, 2023 r/w Section 21(1) of the Mines and Minerals (Development & Regulation) Act in Cr. No.176 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the Village Administrative Officer of Thandalai Puthur village found that nearby graveyard, the petitioner has taken four units of gravel sand from the Government Poramboke Land, without any valid permit and licence.

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.

4.The learned Government Advocate(Crl.side) for the respondent submits that the petitioner is not having any previous case pending as against him.

5.Considering the facts and circumstances of this case and also considering that the petitioner is not having any previous case pending as against him, 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, Musiri on condition that the petitioner shall execute a



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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, Musiri 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 as and when required. 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/-
10/07/2024

/ TRUE COPY /

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



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TO

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

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-7722[I] dated 10/07/2024)

ORDER
IN

CRL OP(MD) No.10206 of 2024

Date :10/07/2024

PKP/GS/SAR /18.07.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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