



CRL OP(MD). No.10673 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.10673 of 2024

1. Veera Raja @ Thaviti Raja @ Raja

2. Meshak

... Petitioners/ Accused 1 & 2

Vs

The Sub Inspector of Police,
KV Nallur Police Station,
Tenkasi District.
Crime No. 256/2024.

... Respondent/ Complainant

For Petitioner : Mr.B.Satheesh Kumar, 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. 256 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.256 of 2024, for the offence punishable under

Section 379 IPC, have filed this petition seeking anticipatory bail.

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



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2. The case of the prosecution is that the petitioners have illegally transported one unit of river sand. Hence, the case.

3. When the earlier application was taken up for hearing, considering the antecedent of the petitioners, that petition was dismissed.

4. The learned counsel appearing for the petitioners submits that on his advice, the petitioners have realized their mistake and changed their attitude. They have also now involved in social activities and spent a sum of Rs.10,000/- for the welfare of AMC Government Higher Secondary School at KV Nallu, Tenkasi District. To that effect, a demand draft, which was drawn by the petitioners in favour of the Head Master, AMC Government Higher Secondary School at KV Nallur, is produced before this Court.

5. Considering the change in the petitioners' attitude, this Court is inclined to grant anticipatory bail to the petitioners. However, when the application is about to be ordered, the learned Government Advocate (Crl.Side) appearing for the respondent Police submits that since a non-bailable warrant, which is pending against the petitioners in Crime No.83 of 2023, they were secured and remanded on 18.07.2024. Now, they are confined at Central Prison, Palayamkottai.

6. Since the petitioners have changed their attitude and doing some social activities by paying a sum of Rs.10,000/- for the welfare of the Government Higher



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Secondary School at KV Nallu, Tenkasi District, this Court treats this application as an application filed under Section 439 Cr.P.C. and grants bail to the petitioners in Crime No.83 of 2023.

7. Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail.

i) on the petitioners executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand)each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Sankarankoil.

ii) The petitioners 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 petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. They have to co-operate for the investigation.

iv) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. They shall be available for the trial as well.

v) On violation of any of the above conditions by the petitioners,



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bail.

the respondent police shall move an application for cancellation of the

sd/-
19/07/2024

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19/07/2024
Sub-Assistant Registrar (A.D.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO
1 THE JUDICIAL MAGISTRATE,
SANKARANKOVIL.
2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.
3 THE SUB INSPECTOR OF POLICE,
KV NALLUR POLICE STATION, TENKASI DISTRICT.
4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.10673 of 2024
Date :19/07/2024

SA/SAR. /19.07.2024/4P/5C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.