



Crl.O.P(MD).No.10950 & 10954 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). Nos.10950 and 10954 of 2024

P.Anbu

... Petitioner/ Accused Rank Not Known
in Crl.O.P(MD).No.10950 of 2024

Vasudevan

... Petitioner/ Accused Rank Not Known
in Crl.O.P(MD).No.10954 of 2024

Vs

The Inspector of Police,
Manikandam Police Station,
Tirchirappalli District.
Crime No. 60/2024

... Respondent/Complainant in both Crl.O.Ps

IN BOTH CRL.O.PS

For Petitioner : M/s.A.S.Krishnan, Advocate.

For Respondent : Mr.K.Sanjai Gandhi, Government Advocate (Crl.Side)

PETITIONS FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C (482 of BNSS)

COMMON PRAYER :-

For Anticipatory Bail in Crime No.60 of 2024 on the file of the Respondent police.

COMMON ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for

the offences punishable under Sections 379 of IPC r/w Section 21(4) of Mines and



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Minerals (Development and Regulation) Act, 1957, in Crime No.60 of 2024, seek anticipatory bail.

2. The case of the prosecution is that on 25.04.2024, the petitioners have illegally transported 3 units of river sand. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. However, he would further submit that the petitioners shall abide any condition imposed by this Court.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioners have transported 3 units of river sand illegally. He would further submit that the several previous cases are pending against the petitioners.

5. Considering the facts and circumstances of the case and also considering the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners shall pay a sum of Rs.4,000/- (Rupees Four Thousand only) each, to the credit of Headmistress, Government High School, Sathyamoorthy Nagar, Madurai (Account No.30641540761, IFSC Code: SBIN0016503, State Bank of India, Samayanallur, Madurai), without prejudice to their rights and contentions before the trial Court and produce the



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receipt/acknowledgement before the learned Judicial Magistrate No.IV, Trichy.

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7. On production of such receipt, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.IV, Trichy, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court



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in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/07/2024

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/08/2024

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

TTA

TO

1 THE JUDICIAL MAGISTRATE NO.IV, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, MANIKANDAM POLICE STATION,
TIRCHIRAPPALLI DISTRICT.

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

COPY TO

THE HEADMISTRESS, GOVERNMENT HIGH SCHOOL,
SATHYAMOORTHY NAGAR, MADURAI.

+2 CC to M/s.A.S.KRISHNAN, Advocate (SR-8314[I], SR-8315[I] dated 23/07/2024)



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ORDER

IN

CRL OP(MD). Nos.10950 and 10954 of 2024

Date :22/07/2024

RS/JGB/SAR-(09.08.2024) 5P 8C

Madurai Bench of Madras High Court is issuing
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