



CRL OP(MD).No.11989 of 2024

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

Date : 06.08.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Santhanathangam

... Petitioner / Accused No.2

Versus

State rep. by
The Inspector of Police,
Saptur Police Station,
Madurai District.

... Respondent / Complainant

For Petitioner : Mr.T.Palanisamy, Advocate

For Respondent : Mr.B.Thanga Aravindh
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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r/w. 4(1)(1-A) & 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, has filed this petition seeking anticipatory bail.

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2. The case of the prosecution is that the petitioner along with other accused has illegally transported ½ unit of odai sand in a Tractor bearing Reg.No.TN49 BR 0511.

3. This is the second anticipatory bail petition. The earlier anticipatory bail petition filed by the petitioner in CrI.O.P.(MD)No.9249 of 2024 was dismissed by this Court, on 25.06.2024, by considering the antecedent of the petitioner.

4. The learned counsel appearing for the petitioner submits that on his advice, the petitioner has realized his mistake and he is prepared to file an undertaking affidavit before the respondent Police that he will not indulge in any other offence in future. He further submits that the petitioner, in order to show his bona fide, has now contributed a sum of Rs.50,000/- (Rupees fifty thousand only) to the credit of the Chief Educational Officer, Madurai, 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 Madurai District.

5. Heard the learned Government Advocate (CrI. Side).

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.

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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 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 District Munsif cum Judicial Magistrate, Peraiyur, Madurai 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. for a period of two weeks. 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



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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. The Chief Educational Officer, Madurai, shall utilise the amount, so deposited by the petitioner for welfare activities of any of the Government Schools in the District.

9. 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 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/-
06/08/2024

/ TRUE COPY /

/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY



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To

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1.The District Munsif cum Judicial Magistrate,
Peraiyur, Madurai District.

2.Do through Chief Judicial Magistrate,
Madurai.

3.The Inspector of Police,
Saptur Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Chief Educational Officer,
Madurai.

+1 CC to M/s.T.PALANISAMY, Advocate (SR-9535[I] dated 06/08/2024)

ORDER
IN

CRL OP(MD) No.11989 of 2024

Date :06/08/2024

ED/ JGB /SAR- (23/08/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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