



CRL OP(MD). No.11770 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/07/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

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1.Jothi,

2.Ajithkumar,

... Petitioners/Petitioners /
Accused Nos.2 and 3

Vs

The Sub Inspector of Police,
Panayapatty Police Station,
Pudukkottai District,
Crime No.49/2024.

... Respondent/
Respondent/Complainant

For Petitioner : M/s.Sathya Chidambaram.S, Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.49/2024 on the file of the respondent police

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



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ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 379 IPC r/w Section 24(A) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.49 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners have illegally transported three units of gravel in a Lorry bearing Reg.No.TN 16 E 0918.

3.The learned counsel appearing for the petitioners submits that the earlier application filed by the petitioners was dismissed considering the antecedents of the petitioners. He further submits that on his advice, the petitioners have realised their mistake and in order to show their bonafide, they are prepared to deposit a sum of Rs.10,000/- each in favour of the "Chief Educational Officer, Pudukottai" for the welfare of the Government School students.

4.Considering this change in the attitude of the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

5.Accordingly, this criminal original petition is allowed and 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 District Munsif cum Judicial Magistrate Court, Thirumayam, on

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



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condition that the petitioners shall execute 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 District Munsif cum Judicial Magistrate, Thirumayam and on further conditions that:

- i. 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;
- ii. The petitioners shall deposit a sum of Rs.10,000/- each to the credit of "Chief Educational Officer, Pudukottai" and produce the receipt before the learned District Munsif cum Judicial Magistrate Court, Thirumayam.
- iii. The petitioners shall appear before the respondent police as and when required.
- 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. The petitioner shall be available for the trial as well.
- v. On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

6. It is needless to say that any tool or instrument or vehicle used for



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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/-
26/07/2024

/ TRUE COPY /

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

VRN

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, THIRUMAYAM
2. THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
PANAYAPATTY POLICE STATION,
PUDUKKOTTAI DISTRICT,
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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COPY TO

1.THE CHIEF EDUCATIONAL OFFICER, PUDUKOTTAI.

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-8814[I] dated 29/07/2024)

ORDER

IN

CRL OP(MD) No.11770 of 2024

Date :26/07/2024

PSP/GS/SAR /06.08.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023