



CRL OP(MD).No.12099 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.08.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.12099 of 2024

Esakkimuthu

... Petitioner/ Accused No.1

Versus

The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City.
In Crime No.291/2023

... Respondent/ Complainant

For Petitioner : Mr.C.Saravanakumar, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.291 of 2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.291 of 2023, for the offence under Section 379 of IPC and Section 24(i) of Mines and Minerals (Development and Regulation) Act, 1957, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally transported 3 units of Saral sand by using Tipper Lorry and JCB.

3. The petitioner herein was granted anticipatory bail by earlier order dated 15.04.2024. However, he has not surrendered before the Court concerned within the time stipulated by this Court. Therefore, the petitioner has filed an application for extension of time and the same was dismissed by this Court with liberty to the petitioner to file a fresh application.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that no previous case is pending as against the petitioner.

5. Considering the quantity of minerals involved and also considering the



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antecedent of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of his 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 No.I, Tirunelveli, on condition that

(i) the petitioner 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 Judicial Magistrate No.I, Tirunelveli.

(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 as and when required for interrogation. He has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.



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(v) 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/-
02/08/2024

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/08/2024

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

jbr

TO

1. THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3.THE INSPECTOR OF POLICE,
PERUMALPURAM POLICE STATION,
TIRUNELVELI CITY.

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

+1 CC to M/s.C.SARAVANAKUMAR, Advocate (SR-9395[I] dated 02/08/2024)

ORDER
IN
CRL OP(MD) No.12099 of 2024
Date :02/08/2024



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WIR MADRAS RK/JGB (23/08/2024) 5P / 6C

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