



CRL.O.P.No.29809 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2024

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.No.29809 of 2024

Ranjith,
S/o.Selvam

... Petitioner

Versus

State, rep. by the
Inspector of Police,
Thittachery Police Station,
Nagapattinam District.
(Crime No.162 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to
enlarge the petitioner on bail in connection with Crime No.162 of 2024
on the file of the respondent.

For Petitioner : Mr.D.Srinivasan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)

ORDER



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Petition seeking bail in respect of Crime No.162 of 2024 registered for the offences punishable under Sections 303(2) & 326(a) of BNS and Section 21(1) of Mines & Minerals (Development and Regulation) Act, 1957 is on board for consideration.

2.The incarceration of the petitioner being from 16.10.2024 pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner is no way connected with the alleged offence, however, he has been implicated in this case since he has one previous case. He further submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.2,000/- to any welfare scheme of the Government or any other organization.

3.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner/accused had



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illegally transported 1/2 unit of river sand in TATA Ace vehicle without any permission. He further submits that one previous case of similar nature is pending against the petitioner.

4.Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of Rs.2,000/- (Rupees Two Thousand only) to the credit of the District Legal Services Authority, Nagapattinam, without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

5.Further, having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand



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only) with two sureties, each for a like sum to the satisfaction of the learned District and Sessions Judge, Nagapattinam, and on further conditions that:

[a] 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 petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***;

[f] If the accused thereafter absconds, a fresh



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FIR can be registered under Section 269 of B.N.S.

28.11.2024

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To

- 1.The District and Sessions Judge,
Nagapattinam.
- 2.The Inspector of Police,
Thittachery Police Station,
Nagapattinam District.
- 3.The Superintendent,
District Jail,
Nagapattinam.
- 4.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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