



CRL OP(MD). No.10125 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/07/2024

PRESENT

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

CRL OP(MD). No.10125 of 2024

1. Tamil Selvam @ Tamilarasan

2 Vimal

... Petitioners/ Accused No.4&5

Vs

The Inspector of Police
Manikandam Police Station,
Manikandam
Trichy District
Cr No.102/2024.

... Respondent/ Complainant

For petitioners : Mr.T.Vadivelan,
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 of B.N.S.S

PRAYER :- For Anticipatory Bail in Crime No. 102 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who apprehend arrest at the hands of the respondent

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CRL OP(MD). No.10125 of 2024

police for the offences punishable under Sections 379 IPC r/w. Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Cr.No.102 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and other accused illegally transported $\frac{1}{4}$ unit of river sand by using bullock cart.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate(Crl.Side) submits that the petitioners are not having any previous case. He further submits that the investigation is pending. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioners are not having any previous case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CRL OP(MD). No.10125 of 2024

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6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or 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.IV, Tiruchirappalli, 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 respondent Police or to the Police Officer, who intends to arrest or 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 am 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



CRL OP(MD). No.10125 of 2024

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]; and;

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

sd/-
09/07/2024

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/07/2024

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

Is

TO

1. THE JUDICIAL MAGISTRATE NO.IV,
TIRUCHIRAPPALLI,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

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

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



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CRL OP(MD). No.10125 of 2024

ORDER IN
CRL OP(MD). No.10125 of 2024
DATE:09.07.2024

RK/GS (19/07/2024) 5P / 5C

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