



CRL OP(MD). No.10353 of 2024

WEB COPY

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

Date : 12/07/2024

PRESENT

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

CRL OP(MD). No.10353 of 2024

Rajkumar

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
Jeeyapuram Police Station,
Trichy District.
(Crime No.180/2024.)

... Respondent/Complainant

For Petitioner : M/s.Eashwar.T, Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 180/2024 on the file of the
Respondent police.

ORDER : The Court made the following order :-

The petitioner /Accused, who apprehends arrest at the hands of the
respondent police for the offences punishable under Section 303(2) of the Bharatiya



CRL OP(MD). No.10353 of 2024

WEB COPY

Nyaya Sanhita (BNS) and Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.180 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is said to have illegally transported 4 ½ units of river sand. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. However, he would further submit that the petitioner shall abide any condition imposed by this Court.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioner have transported 4 ½ units of river sand illegally. He would further submit that the petitioner is not having any previous cases. The investigation is pending, hence, he strongly opposed for grant of anticipatory bail.

5.Considering the facts and circumstances of the case and also considering the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner shall pay a sum of Rs.2,000/- (Rupees Two Thousand only) to the credit of Headmistress, Government High School, Sathiyamoorthy Nagar, Madurai (Account No:- 30641540761, IFSC Code:- SBIN0016503, State Bank of India, Samyanallur, Madurai), without prejudice to their



CRL OP(MD). No.10353 of 2024

rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate No.III, Trichy District.

7.On production of such receipt, the petitioner are 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 No.III, Trichy District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner 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 petitioner 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 petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial



CRL OP(MD). No.10353 of 2024

WEB COPY

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]; and;

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

sd/-
12/07/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

To

- 1.The Judicial Magistrate No.III,
Trichy District.
- 2.Do through the Chief Judicial Magistrate,
Trichy District.
- 3.The Inspector of Police,
Jeeyapuram Police Station,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



CRL OP(MD). No.10353 of 2024

WILL COPY
Copy to:

The Headmistress,
Government High School,
Sathiyamoorthy Nagar,
Madurai.

+1 CC to M/s.T.EASHWAR, Advocate (SR-7948[I] dated 15/07/2024)

ORDER
IN
CRL OP(MD) No.10353 of 2024
Date :12/07/2024

ED/ GS /SAR- (25/07/2024) 5P / 7C

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