



CRL OP(MD). No.10391 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.10391 of 2024

Praveenkumar.G.L,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Koodankulam Police Station, ,
Tirunelveli District.

Crime No. 278/2024.

... Respondent/Complainant

For Petitioner : M/s. Vaigunth.A.S,
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. 278 of 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



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police for the offences punishable under Section 303(2) of the Bharatiya Nyaya Sanhita (BNS) r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.278 of 2024, seeks anticipatory bail.

The case of the prosecution is that on 03.07.2024, the petitioner is said to have overloaded the gravel 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 was overloaded the gravel sand. 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.



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6. Accordingly, the petitioner shall pay a sum of Rs.2,000/- (Rupees Two Thousand only) to the credit of Madurai Bench of Madras High Court Advocate Clerk's Welfare Association, Madurai - 625023 (Account No:- 496039124, IFSC Code:- IDIB000H040), without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate, Radhapuram, Tirunelveli 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, Radhapuram, Tirunelveli 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;



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

LS

TO

1. THE JUDICIAL MAGISTRATE,
RADHAPURAM,
TIRUNELVELI DISTRICT.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3. THE INSPECTOR OF POLICE,
KODANKULAM POLICE STATION, ,
TIRUNELVELI DISTRICT.

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

COPY TO

THE OFFICER IN CHARGE,
MADURAI BENCH OF MADRAS HIGH COURT
ADVOCATE CLERK'S WELFARE ASSOCIATION,
MADURAI - 625023

ORDER
IN

CRL OP(MD) No.10391 of 2024

Date :12/07/2024

RK/VR(25/07/2024) 5P / 6C

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