



CRL OP(MD). No.10450 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/07/2024

PRESENT

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

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O.Palpandi,

... Petitioner/ Accused 1

Vs

The Inspector of Police,
Thiruppuvanam Police Station
Sivagangai District.
Cr No.219/2024.

... Respondent/ Complainant

For Petitioner : M/s.Vijay Nivas.SP,
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 Cr No.219/2024 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 379 I.P.C and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.219 of 2024, seeks anticipatory bail.

<https://www.mhc.tn.gov.in/judis> The case of the prosecution is that the petitioner is said to have illegally



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transported 1 ½ units of river sand. Hence, the complaint.

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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 has transported 1 ½ unit of river sand illegally. He would further submit that the petitioner is having 3 previous cases, similar in nature. 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.3,000/- (Rupees Three Thousand only) to the credit of Siddha Centre, Madurai, Madurai Bench of Madras High Court, Madurai operated by the Registrar (Administration) (Account No:- 6865578213,IFSC Code:- IDIB000H040, Indian Bank, High Court Branch, Madurai), without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate, Manamadurai.

7.On production of such receipt, the petitioner are ordered to be released on



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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, Manamadurai, 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 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;



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(f)if the accused thereafter abscond, a fresh FIR can be registered under Section

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229-A IPC.

sd/-
12/07/2024

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/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,
MANAMADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUPPUVANAM POLICE STATION
SIVAGANGAI DISTRICT.

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

COPY TO:

1 THE REGISTRAR(ADMINISTRATION),
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

2 THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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+1 CC to M/s.SP.VIJAY NIVAS, Advocate (SR-7838[I] dated 12/07/2024)

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ORDER
IN
CRL OP(MD) No.10450 of 2024
Date :12/07/2024

SA/JGB/SAR. /29.07.2024/5P/8C

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