



CRL OP(MD). No.10794 of 2024

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

Date : 19/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN  
CRL OP(MD). No.10794 of 2024

Saran

... Petitioner/Sole Accused

Vs

Inspector of Police,  
Kattuputhur Police Station,  
Trichy District.  
(Crime No. 193/2024.)

... Respondent/Complainant

For Petitioner : M/s.B. Vetrivel, Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 BNS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 193 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 police for the offences punishable under Sections 303(2) BNS, 2023 r/w. 21(4) of Mines and Minerals Act, 1957 in Cr.No.193 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein has illegally



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transported  $\frac{1}{4}$  unit of river sand worth about Rs.1,000/- by using bullock cart and the same has been recovered. Hence, the complaint.

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3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4.The learned Government Advocate(Crl.Side) would submit that there is no previous case pending against the petitioner and the investigation of the case is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the property has been recovered, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is 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, Thottiyam, 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 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 petitioner and the sureties shall affix their photographs and left thumb



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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;

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

sd/-  
19/07/2024

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/08/2024  
Sub-Assistant Registrar  
(C.S.I /II /III /IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



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To

1.The Judicial Magistrate,  
Thottiyam.

2.Do through the Chief Judicial Magistrate,  
Trichy District.

3.The Inspector of Police,  
Kattuputhur Police Station,  
Trichy District.

4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.PRAGADEESH KUMAR, Advocate ( SR-8185[I] dated 19/07/2024 )

ORDER

IN

CRL OP(MD) No.10794 of 2024

Date :19/07/2024

ED/ JGB /SAR- (31/07/2024) 4P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
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