



CRL OP(MD). No.10831 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.10831 of 2024

Vijayakumar

... Petitioner/ Accused Rank not known

Vs

The Inspector of Police,
Embal Police Station,
Pudukottai District.
(Crime No. 31/2024.)

... Respondent/Complainant

For Petitioner : M/s.Ragul M, 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. 31 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 Section 303 of BNS and Section 21(1)(2) of



CRL OP(MD). No.10831 of 2024

(Mines and Minerals Development and Regulation Act), 1957 in Cr.No.31 of 2024,

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seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused have illegally transported 1 unit of river sand worth about Rs.4,000/- and the same has been recovered. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and his name has been falsely implicated in this case and he seeks anticipatory bail.

4.The learned Government Advocate(Crl.Side) would submit that the property has been recovered. He would further submit that the petitioner is having 7 previous cases and the investigation of the case is pending and hence, strongly opposed to grant anticipatory bail to the petitioner.

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, Avudaiyarkoil on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand



CRL OP(MD). No.10831 of 2024

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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 is directed to pay a sum of Rs.2,000/- (Rupees Two Thousand only) to the Madurai Bench of Madras High Court Dispensary operated by the Registrar (Admin) (Account No:-6960810645, IFSC Code:- IDIB000H040, Indian Bank Madurai) without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(b) 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;

(c) 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;

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

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

(f) 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



CRL OP(MD). No.10831 of 2024

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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;

(g)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.

TRP

To

1.The Judicial Magistrate,
Avudaiyarkoil.

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

3.The Inspector of Police,
Embal Police Station,
Pudukkottai District.

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



CRL OP(MD). No.10831 of 2024

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1.The Registrar (Administration),
Madurai Bench of Madras High Court, Madurai.

2.The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.RAGUL, Advocate (SR-8183[I] dated 19/07/2024)

ORDER
IN
CRL OP(MD) No.10831 of 2024
Date :19/07/2024

ED/ VR /SAR- (31/07/2024) 5P / 8C

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