



CRL OP(MD). No.11575 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 25/07/2024

PRESENT

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

CRL OP(MD). No.11575 of 2024

Varunkumar@rajeshwaran,

... Petitioner/ Accused No.3

Vs

The Inspector of Police,  
Uchipuli Police Station,  
Ramanathapuram District.  
(In Crime No 100 of 2022).

... Respondent/Complainant

For Petitioner : R.Murugan, Advocate.  
For Respondent : Mr.K.Sanjai Gandhi,  
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No 100 of 2022 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the respondent



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police for the offences punishable under Sections 379 r/w 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.100 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that by the order dated 05.05.2022, the petitioner was granted anticipatory bail by this Court in Crl.OP(MD)No.8911 of 2022. However, he could not produce the sureties within a time stipulated by this Court since he was arrested by the police in connection with Crime No.101 of 2022 and the time granted by this Court for furnishing sureties was also expired very long back. Hence, this petition.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that the petitioner has not complied with the conditions imposed by this Court. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the reasons assigned in the petition for not complying the condition, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner shall pay a sum of Rs.10,000/- (Rupees Ten



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Thousand only) to the credit of Headmistress, Panchayat Union Primary School, Madurai East (Account No.10111536270, IFSC Code: SBIN0002246, State Bank of India, Othakadai Branch, Madurai) without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate Court No.II, Ramanathapuram.

7.On production of such receipt, the petitioner is 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 Court No.II, Ramanathapuram, 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 until further orders;

(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;



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(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/-  
25/07/2024

/ TRUE COPY /

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

DSS

TO

1 THE JUDICIAL MAGISTRATE  
COURT NO.II RAMANATHAPURAM.

2 DO-THROUGH :  
THE CHIEF JUDICIAL MAGISTRATE,  
RAMANATHAPURAM DISTRICT.



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3. THE INSPECTOR OF POLICE  
UCHIPULI POLICE STATION,  
RAMANATHAPURAM DISTRICT.

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

COPY TO

1. THE HEADMISTRESS,  
PANCHAYAT UNION PRIMARY SCHOOL,  
MADURAI EAST.

ORDER  
IN  
CRL OP(MD) No.11575 of 2024  
Date :25/07/2024

PSP/VR/SAR /08.08.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified  
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