



CRL OP(MD). No.11057 of 2024

WEB COPY

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

Date : 22/07/2024

PRESENT

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

CRL OP(MD). No.11057 of 2024

1. Appadurai

2. Veeramani

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.
(Crime No. 322 of 2024.)

... Respondent/Complainant

For Petitioners : M/s Lenin Kumar.T, 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.322 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for



CRL OP(MD). No.11057 of 2024

the offences punishable under Sections (*)303(1) Bharatiya Nyaya Sanhita, 2023 (BNS) r/w Section 21(1)(2) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.322 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally transported 1/4 unit of river sand. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. However, he would further submit that the petitioners shall abide any condition imposed by this Court. Hence, he prays for anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioners have transported 1/4 unit of river sand. The investigation in this case is not yet completed. He further submitted that one previous case is pending against the first petitioner and two previous cases are pending against the second petitioner.

5. Considering the facts and circumstances of the case and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of



CRL OP(MD). No.11057 of 2024

WEB COPY

a copy of this order, before the learned Judicial Magistrate, Aranthangi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, 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 petitioners 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;



CRL OP(MD). No.11057 of 2024

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

WEB COPY

Section 229-A IPC.

sd/-
22/07/2024

**(*)AMENDED AS PER THE ORDER OF THIS
HON'BLE COURT IN CRL MP(MD)Nos.8296
and 8297 of 2024 IN CRL OP(MD)No.11057 of
2024 dated 16/08/2024.**

**FURTHER TIME FOR EXECUTING THE
SURETIES IS EXTENDED FOR A PERIOD OF
TWO WEEKS FROM THE DATE OF RECEIPT
OF A COPY OF THIS ORDER.**

/ TRUE COPY /

/09/2024

Sub-Assistant Registrar
(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

To

**TO BE SUBSTITUTED WITH THE ORDER DATED 22/07/2024 ALREADY
DESPATCHED.**

1.The Judicial Magistrate,
Aranthangi.

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

3.The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.

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



CRL OP(MD). No.11057 of 2024

+2 CC to M/s.T.LENINKUMAR, Advocate (SR-10094,10095[I] dated 19/08/2024)

ORDER
IN
CRL OP(MD) No.11057 of 2024
Date :22/07/2024

ED/ VR /SAR- (07/08/2024) 5P / 6C
TRP
SS/ SG /SAR- (10/09/2024) 5P / 7C

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