



CRL OP(MD). No.11476 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.11476 of 2024

1. Muthu

2. Manimanthiram

... Petitioners/ Accused No.1 & 2

Vs.

The Sub Inspector of Police,
Murappanadu Police Station,
Murappanadu,
Thoothukudi District.
(Crime No.212 of 2024.)

... Respondent/Complainant

For Petitioners : Mr.N.Pragalathan, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.212 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on
14.07.2024 for the offences punishable under Section 303(2) BNS, 2023, in crime



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No.212 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the petitioner is said to have illegally transported 23 bags of river sand. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 14.07.2024, hence she may be released on bail.

4.The learned Government Advocate (Crl. side) would submit that more than 10 witnesses have been examined and the investigation is yet to be completed. Hence, he strongly opposed to grant bail.

5.Considering the facts and circumstances of the case and also considering the facts that the petitioner is not having any previous case and the petitioner is in judicial custody from 14.07.2024, this Court is inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 Judicial Magistrate No.1, Srivaikundam, Thoothukudi District.

(i)the sureties shall affix their photographs and left thumb impression in the



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surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m.,for a period of two weeks and thereafter as and when required for interrogation;

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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].

vi)If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
25/07/2024

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25/07/2024
Sub-Assistant Registrar (Judicial)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS



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To

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1.The Judicial Magistrate No.I,
Srivaikundam, Thoothukudi District.

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

3.The Inspector of Police,
Murappanadu Police Station,
Murappanadu, Thoothukudi District.

4.The Superintendent,
Central Prison, Palayamkottai,
Tirunelveli District.

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

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-8622[I] dated 25/07/2024)

ORDER

IN

CRL OP(MD) No.11476 of 2024

Date :25/07/2024

ED/ /SAR- (25/07/2024) 4P / 7C

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