



CRL OP(MD)No.11535 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.11535 of 2024

Mohanraj

... Petitioner/Sole Accused

Vs

The Inspector of Police,
K.Paramathi Police Station,
Karur District.
(Crime No.237 of 2024)

... Respondent/complainant

For Petitioner : Mr.T.Lenin Kumar, Advocate

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Cr No.237 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 14.07.2024



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for the offence punishable under Section 303(ii) of the Bharatiya Nyaya Sanhita, 2023
r/w Sction 21(1)(a) of the Mines and Minerals (Development and Regulation)Act,
1957 in Cr.No.237 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner has illegally transported three
units of river sand. Hence, the case.

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

4.The learned Additional Public Prosecutor would submit that the investigation
is yet to be completed and that the petitioner is having one similar previous case.

5.Considering the facts and circumstances of the case and also considering the
period of incarceration, this Court is inclined to grant bail to the petitioner on certain
conditions.



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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, Aravakurichi.

[i] the sureties shall affix their photographs and Left thumb Impression in the surety bond and the Special Court/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 three 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 Judicial 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



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released on bail by the learned Magistrate/Trial Court himself as laid down by the
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Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[vii] If the accused thereafter absconds, a fresh FIR can be registered under Section
229A IPC.

sd/-
25/07/2024

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/07/2024
Sub-Assistant Registrar (CS-I/ II/ III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns

TO

1.THE JUDICIAL MAGISTRATE, ARAVAKURICHI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

3.THE OFFICER IN CHARGE,
SUB JAIL,
KARUR.

4.THE INSPECTOR OF POLICE,
K.PARAMATHI POLICE STATION,
KARUR DISTRICT.

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



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WEB COPY +1 CC to M/s.T.LENINKUMAR, Advocate (SR-8605[I] dated 25/07/2024)

ORDER
IN
CRL OP(MD) No.11535 of 2024
Date :25/07/2024

RK (26/07/2024) 5P / 7C

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