



CRL OP(MD)No.11569 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 25.07.2024

PRESENT

The Hon`ble MR.JUSTICE AA.NAKKIRAN

CRL OP(MD)No.11569 of 2024

1.Arun @ Arulmozhi

2.Ashok

... Petitioners/ Accused No.1 & 4

Vs

The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
(Crime No.323 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.K.M.Karunakaran, 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.323 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 303(2) BNS r/w Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 in Cr.No.323 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners have illegally transported 1/2

unit of river sand. Hence, the case.

<https://www.mhc.tn.gov.in/judis>



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3.The learned counsel appearing for the petitioners submits that the petitioners are innocents and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate(Crl.side) for the respondent submits that the petitioners are not having any previous case pending as against them.

5.Considering the fact that the petitioners are not having any previous case pending as against them, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this criminal original petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.2, Thanjavur on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand) 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;



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(b)the petitioners shall report before the respondent police daily at 10.30 am.,
for a period of six weeks and thereafter, as and when required;

(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 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 abscond, a fresh FIR can be registered under Section
229-A IPC.

sd/-

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/08/2024

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

gns
TO

1 THE JUDICIAL MAGISTRATE NO.2, THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

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3 THE INSPECTOR OF POLICE,
THANJAVUR TALUK POLICE STATION, THANJAVUR DISTRICT.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-8639[I] dated 25/07/2024)

ORDER IN
CRL OP(MD) No.11569 of 2024
Date :25/07/2024

RS/JGB/SAR-(09.08.2024) 4P 6C
Madurai Bench of Madras High Court is issuing
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