



CRL OP(MD)No.11680 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.07.2024

PRESENT

The Hon`ble MR.JUSTICE AA.NAKKIRAN

CRL OP(MD)No.11680 of 2024

Muthupandi

... Petitioner / Accused No.2

Vs

The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
(In Crime No.96 of 2024)

... Respondent / Complainant

For Petitioner : Mr.D.Rameshkumar, 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.96 of 2024 on the file of the Respondent Police.



CRL OP(MD)No.11680 of 2024

ORDER: The Court made the following order :-

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 IPC r/w Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 in Cr.No.96 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused have illegally transported 30 cement plate of river sand.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that this Court already granted anticipatory bail to the co-accused.

4.The learned Government Advocate(Crl.side) for the respondent submits that the petitioner is having four previous cases pending as against him.

5.Considering the facts and circumstances of this case and also considering that this Court already granted anticipatory bail to the co-accused, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and 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



CRL OP(MD)No.11680 of 2024

learned District Munsif-cum Judicial Magistrate, Thiruppuvanam, Sivagangai

WEB COPY

District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand) 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 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., for a period of three weeks and thereafter, as and when required;

(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;

(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;



CRL OP(MD)No.11680 of 2024

(f)if the accused thereafter absconds, a fresh FIR can be registered under
Section 229-A IPC.

sd/-
26/07/2024

/ TRUE COPY /

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

GNS

To

- 1.The District Munsif cum Judicial Magistrate,
Thiruppuvanam, Sivagangai District.
- 2.Do through the Chief Judicial Magistrate,
Sivagangai District.
- 3.The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.11680 of 2024
Date :26/07/2024



CRL OP(MD)No.11680 of 2024

ED/ GS /SAR- (14/08/2024) 5P / 5C

WEB COPY

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