



CRL OP(MD). No.11866 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/07/2024

PRESENT

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

CRL OP(MD). No.11866 of 2024

1. Karuppsaamy Pandiyan,

2. Lakshmi,

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.
Crime No. 66/2024.

... Respondent/Complainant

For Petitioner : Mr.B.Mahendrarajan, Advocate.

For Respondent : Mr.K.Sanjaigandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.66 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-



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The petitioners/ accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341, 353, 506(1), 379 IPC and 21(1) of Mines and Mineral (Development and Regulation) Act, 1957 in (*)Crime No.66 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein have illegally transported ½ unit of river sand and the same has been recovered. Hence, the complaint.

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

4.The learned Government Advocate(Crl.Side) would submit that A1 is having 4 previous case and A2 is not having any previous case and the investigation of the case is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the property has been recovered, 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 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, Kadaladi,

Ramanathapuram District on condition that the petitioners shall execute a bond for a



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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 are directed to pay a sum of Rs.2,000/- (Rupees Two Thousand only) to the Headmistress, Government High School, Sathiyamoorthy Nagar, Madurai (Account No:-30641540761, IFSC Code:- SBIN0016503, State Bank of India, Samyanallur, Madurai) without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(b) 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;

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

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial



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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;

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

sd/-
29/07/2024

(*)Amended as per order of this Hon'ble Court in CRL MP(MD).11669/2024 in CRL OP(MD).11866/2024 Dated 29/10/2024

The time for executing the sureties is extended for a period of one week from the date of receipt of a copy of this order.

/ TRUE COPY /

/11/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
21/08/2024

1 THE JUDICIAL MAGISTRATE
KADALADI RAMANATHAPURAM DISTRICT

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



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
KADALADI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

COPY TO

THE HEADMISTRESS,
GOVERNMENT HIGH SCHOOL,
SATHIYAMOORTHY NAGAR,
MADURAI

ORDER IN
CRL OP(MD) No.11866 of 2024
Date :29/07/2024

PSP/JGB/SAR /14.08.2024/ 5P/ 6C
RS/SKN/SAR /07.11.2024/ 5P/ 6C

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