



CRL OP(MD). No.12235 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 31/07/2024

PRESENT

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

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1. Mariselvam,

2. Samuthira Pandi,

3. Kombaiah,

4. Kaveri Udayiar,

... Petitioners/ Accused rank not known

Vs

The Inspector of Police,
Sattur Taluk Police Station
Virudhunagar District.
Crime No. 112 of 2024.

... Respondent/Complainant

For Petitioner : Mr.N.Mariappan,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 112 of 2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 336(3), 340(2), 303(2) of BNS and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.112 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein have illegally transported, 6 units of gravel sand worth about Rs.12,000/- 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 the property has been recovered and the petitioners are not having any previous case.

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



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bail to the petitioners with certain conditions.

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6. Accordingly, the petitioners shall pay a sum of Rs.2,000/- (Rupees Two Thousand only) to the Meenakshi Mission Hospital and Research Centre, Madurai towards the treatment charges of one Bala Ariya (Ch/DD/NEFT Transfer and Google Pay (Canara Bank, Nungambakkam Branch A/c. No.60182010063310, IFSC.No.CNRB0016018 in favour of Women's Welfare Syndicate), without prejudice to their rights and contentions before the trial Court and produce the receipt before the trial Court.

7. On production of such receipt, 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.II, Sattur on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum 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



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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 three weeks and thereafter, as and when required for interrogation;

(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 petitioners 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/-
31/07/2024

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/08/2024

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

TRP



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TO
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- 1 THE JUDICIAL MAGISTRATE NO.II
SATTUR
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
SATTUR TALUK POLICE STATION VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE OFFICER INCHARGE,
MEENAKSHI MISSION HOSPITAL AND RESEARCH CENTRE,
MADURAI

+1 CC to M/s.N.MARIAPPAN, Advocate (SR-9261[I] dated 02/08/2024)

ORDER
IN
CRL OP(MD) No.12235 of 2024
Date :31/07/2024

SS/JGB/SAR- /14/08/2024/5P/7C

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