



CRL OP(MD). No.12794 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/08/2024

PRESENT

The Hon`ble Mr.Justice **D.BHARATHA CHAKRAVARTHY**

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1. Kishuvarun

2. Surya

... Petitioners No.1 & 2/ Accused No.2 & 3

Vs

The Inspector of Police,
Kulithalai Police Station
Karur District.

Crime No.509/2024.

... Respondent/Complainant

For Petitioners : M/s Vishnu.V, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.509/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who were arrested and remanded to judicial



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custody on 29.07.2024 for the offences punishable under Sections 303(2) of BNS r/w Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957, in crime No.509of 2024, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the accused have illegally unloaded eighty bags of river sand from the two-wheeler bearing Registration No.TN 45 AP 1414. Hence the case.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the facts and circumstances of the case and also considering the quantity of mineral, this Court is inclined to grant bail to the petitioners on certain conditions.

5.Accordingly, the petitioners shall pay a sum of Rs.3,000/- (Rupees Three Thousand only) to the credit of Environmental Committee Operated by Registrar (Judicial) [Account No.7633863037; MICR Code: 625019020, CIF No: 30602376727, IFSC Code: IDIB000H040, High Court Branch, Madurai (2001)], without prejudice to



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his rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate No.II, Kulithalai, Karur District.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing 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 **Judicial Magistrate No.II, Kulithalai, Karur District.**

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks;

(iii)the petitioners shall not tamper with evidence or witness;

iv)the petitioners shall not abscond during trial.

v)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance



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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].

sd/-
06/08/2024

/ TRUE COPY /

06/08/2024
Sub-Assistant Registrar (AD-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
KULITHALAI, KARUR DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
- 3 THE OFFICER INCHARGE,
SUB JAIL, KULITHALAI, KARUR DISTRICT.
- 4 THE INSPECTOR OF POLICE
KULITHALAI POLICE STATION
KARUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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COPY TO:

THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.12794 of 2024
Date :06/08/2024

SS/SAR- /06/08/2024/5P/7C

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