



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12843 of 2024

G.Stalin

... Petitioner/ Accused No.7

Vs

The Inspector of Police,
Eranel Police Station,
Kanyakumari District.
Crime No.144/2024..

... Respondent/ Complainant

For Petitioner : Mr.H.Velavadhas,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-For Anticipatory Bail in Crime No.144/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 IPC in Crime.No.144 of 2024,



seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein has illegally transported 1 unit of M-sand by using Tractors. Hence, the complaint.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

4. Considering the facts and circumstances of the case and also considering the fact that the petitioner herein is having one previous case of similar nature, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Eraniel, Kanniyakumari District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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

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card or Bank pass Book to ensure their identity;

(b) the petitioner is directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Headmistress, Government Higher Secondary School, E.Malampatti, Melur Taluk, Madurai District. (Account No.10662832760, CIF No; 80521814092, IFSC Code: SBIN0000258, State Bank of India, Melur Branch, Madurai), without prejudice to his rights and contentions before the trial Court;

(c) the petitioner shall report before the respondent police as and when required for interrogation;

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

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

(f) 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;

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

sd/-
14/08/2024

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/08/2024

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

trp

TO

1 THE JUDICIAL MAGISTRATE,
ERANIEL, KANYAKUMARI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT.

3 THE INSPECTOR OF POLICE
ERANEL POLICE STATION, KANYAKUMARI DISTRICT.

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

COPY TO:

The Headmistress,
Government Higher Secondary School,
E.Malampatti, Melur Taluk,
Madurai District.

ORDER
IN

CRL OP(MD) No.12843 of 2024
Date :14/08/2024

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