



CRL OP(MD). No.12889 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12889 of 2024

Thamaraiselvan

... Petitioner/ Accused

Vs

The Inspector of Police,
Nadukavery Police Station,
Thanjavur District.
Crime No.365/2024..

... Respondent/ Complainant

For Petitioner : M/s. Vijayanand.M, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS



CRL OP(MD). No.12889 of 2024

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PRAYER :-

For Bail in Crime no.365 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 25.07.2024 for the offences punishable under Sections 303(2) of BNS r/w. 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in crime No.365 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein has illegally transported ½ unit of river sand by using TATA Ace Vehicle. Hence, the case.

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

4. Considering the nature of nature of allegations and considering the fact that the petitioner was arrested on 25.07.2024, I am inclined to enlarge the petitioner on bail.

5. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees



CRL OP(MD). No.12889 of 2024

Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur 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 petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five 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;

(iii)the petitioner shall appear before the respondent Police as and when required for interrogation;

(iv)the petitioner shall not tamper with evidence or witness;

v)the petitioner shall not abscond during trial.

vi)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].

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



CRL OP(MD). No.12889 of 2024

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

sd/-
08/08/2024

/ TRUE COPY /

08 / 08 /2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

APD/TRP

TO

1 THE JUDICIAL MAGISTRATE,
THIRUVAIYARU, THANJAVUR DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM

3 THE SUPERINTENDENT,
SUB JAIL, THANJAVUR.

4 THE INSPECTOR OF POLICE
NADUKAVERY POLICE STATION,
THANJAVUR DISTRICT.

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



CRL OP(MD). No.12889 of 2024

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1. THE HEADMISTRESS,
GOVERNMENT HIGHER SECONDARY SCHOOL,
E.MALAMPATTI, MELUR TALUK, MADURAI DISTRICT.

+1 CC to M/s.M.VIJAYANAND, Advocate (SR-9681[I] dated 08/08/2024)

ORDER
IN
CRL OP(MD) No.12889 of 2024
Date :08/08/2024

PSP/ /SAR /08.08.2024/ 5P/ 8C

Madurai Bench of Madras High Court is issuing certified
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