



CRL OP(MD). No.12852 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12852 of 2024

Manikandan,

... Petitioner/ Accused No.7

Vs

The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
Crime No. 413/2024.

... Respondent/Complainant

For Petitioner : Mr.T. Veerakumar,
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. 413 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ A7, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Section 21(1) of Mines and Minerals (Development and Regulation)

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



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Act, 1957 in Crime No.413 of 2024, seeks anticipatory bail.

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2.The case of the prosecution is that the petitioner and the other accused have illegally transported 30 units of savudu sand. Hence, the complaint.

3. Heard both sides.

4.Considering the argument of the learned counsel for the petitioner that he has been actually licensed by the Thasildar to lift the top soil for agricultural purposes and the same was quarried and transported only to the particular survey number for spreading over the agricultural land, I am inclined to release the petitioner on anticipatory bail with certain conditions.

5.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 No.II, Ramanathapuram, 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 card or Bank pass Book to ensure their identity;



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(b)the petitioner shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation;

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

(d)the petitioner 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 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;

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

sd/-
07/08/2024

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/08/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO
1 THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM.



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2. DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, RAMANATHAPURAM DISTRICT.

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

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

+1 CC to M/s.T.VEERAKUMAR, Advocate (SR-9561[I] dated 07/08/2024)

ORDER IN
CRL OP(MD) No.12852 of 2024
Date :07/08/2024

SA/VR/SAR. /19.08.2024/4P/6C

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