



CRL OP(MD). No.12877 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.12877 of 2024

1. Esakkimuthu,

2. Esakkidurai,

3. Muthupandi,

4. Gurusamy,

5. Marisamy,

... Petitioners/ Accused No.Rank Not Known

Vs

The Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.

Crime No. 351 of 2024.

... Respondent/ Complainant

For Petitioners : Mr.Balamurugan S,
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. 351 of 2024 on the file of the Respondent police.



CRL OP(MD). No.12877 of 2024

ORDER: The Court made the following order :-

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The petitioners / accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) BNS, 2023 in Crime No.351 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein have illegally transported 5 units of Vandal sand by using Tractors and the same has been recovered. Hence the complaint.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police.

4.Considering the nature of allegations and that petitioners are having previous cases, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tenkasi, Tenkasi District 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions



CRL OP(MD). No.12877 of 2024

that:

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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 card or Bank pass Book to ensure their identity;

b) the petitioners are directed to deposit the amount as the 1st petitioner - Rs.6,000/-; 2nd petitioner Rs.7,000/-; and the petitioners 3 to 5 Rs.5,000/- each respectively 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 petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

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

(e) the petitioners 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 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



CRL OP(MD). No.12877 of 2024

Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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

sd/-
07/08/2024

/ TRUE COPY /

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

TRP
TO

1 THE JUDICIAL MAGISTRATE,
TENKASI, TENKASI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
KADAYANALLUR POLICE STATION,
TENKASI 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.

+1 CC to M/s.S.BALAMURUGAN, Advocate (SR-9590[I] dated 07/08/2024)



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CRL OP(MD). No.12877 of 2024

ORDER
IN
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Date :07/08/2024

SA/JGB/SAR. /20.08.2024/5P/7C

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