



CRL OP(MD). No.13088 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13088 of 2024

Prabhakaran,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thirukattupalli Police Station,
Thanjavur District,
Crime No.367/2024.

... Respondent/Complainant

For Petitioner : Mr.Dhilipan Pandian R.L.,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No.367/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the



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respondent police for the offences punishable under Sections 303(2) of BNS and Section 21(1) of MMDR Act, 1957, in Crime No.367 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported 3 bags of river sand. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of allegation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.Accordingly, the petitioner shall pay a sum of Rs.3,000/- (Rupees Three 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 and produce the receipt/acknowledgement before the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District.



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6. On production of such receipt, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur 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 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;

(b) the petitioner shall report before the respondent police daily at 10.30 am 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;



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(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/-
12/08/2024

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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
THIRUVAIYARU THANJAVUR DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.



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3 THE INSPECTOR OF POLICE
THIRUKATTUPALLI POLICE STATION,
THANJAVUR 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.R.L.DHILIPAN PANDIAN, Advocate (SR-9882[I] dated 13/08/2024)

ORDER
IN
CRL OP(MD) No.13088 of 2024
Date :12/08/2024

SS/JGB/SAR- /19/08/2024/5P/7C

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