



CRL OP(MD). No.13397 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13397 of 2024

1. Vijay @ Vijay Chandar

2. Rajendran,

3. Nallathambi,

4. Suresh @ Sureshkumar

... Petitioners/ Accused Rank not known

Vs

The Inspector of Police,
Peravurani Police Station,
Thanjavur District,
Crime No.187/2024.

... Respondent/Complainant

For Petitioners : MR.N. Balasubramanian,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No.187/2024 on the file of the respondent police



CRL OP(MD). No.13397 of 2024

ORDER: The Court made the following order :-

WEB COPY

The petitioners / accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS,, 2023 and 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein have illegally transported 2 units of River sand by using Bullock carts 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 also considering the fact that the property was recovered, 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 District Munsif – cum - Judicial Magistrate, Peravurani, Thanjavur 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



CRL OP(MD). No.13397 of 2024

Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate

WEB COPY

concerned and on further conditions that:

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 a sum of Rs.5,000/- (Rupees Five Thousand only) each 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.13397 of 2024

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

WEB COPY

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

6. It is submitted by the petitioners counsel that the name of the petitioners 1 and 4 have been wrongly mentioned as Vijay and Suresh respectively instead of Vijay @ Vijay Chandar and Suresh @ Sureshkumar. Hence, the name of the petitioners 1 and 2 have to be corrected by the Registry as Vijay @ Vijay Chandar and Suresh @ Sureshkumar respectively.

sd/-
16/08/2024

/ 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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, PERAVURANI,
THANJAVUR DISTRICT.

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



CRL OP(MD). No.13397 of 2024

3 THE INSPECTOR OF POLICE
PERAVURANI 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.N.BALASUBRAMANIAN, Advocate (SR-10162[I] dated
20/08/2024)

ORDER
IN
CRL OP(MD) No.13397 of 2024
Date :16/08/2024

SS/VR/SAR- /30/08/2024/5P/7C

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