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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.13419 of 2024

Pandimuneeswari

... Petitioner/ Accused Rank Not Known

Vs

The Inspector of Police,
Vasudevanallur Police Station,
Tenkasi District.
Crime No.49/2019..

... Respondent/Complainant

For Petitioner : G.Kalidoss,
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.49/2019 on the file of the respondent Police.

ORDER : The Court made the following order :-

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

police for the offence punishable under Section 379 of IPC, in Crime No.49 of 2019,

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



seeks anticipatory bail.

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2.The case of the prosecution is the petitioner and the other accused have illegally transported 4 units of Odai sand. Hence, the complaint.

3.Heard both sides.

4.Considering the facts and circumstances of the case and also considering the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.Accordingly, the petitioner shall pay a sum of Rs.10,000/- (Rupees Ten 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 Court, Sivakiri, Tenkasi District.

7.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 Court, Sivakiri, Tenkasi 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 two 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/-
16/08/2024

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



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TO

1 THE JUDICIAL MAGISTRATE
SIVAKIRI, TENKASI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
VASUDEVANALLUR 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.G.KALIDOSS, Advocate (SR-10005[I] dated 16/08/2024)



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ORDER
IN

CRL OP(MD) No.13419 of 2024

Date :16/08/2024

MK/MGA/22.08.2024 5P 7C

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