



CRL OP(MD). No.13498 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Paranthaman,

2. Usil @ Prasath,

3. Baskar @ Vijay Baskar,

4. Naveen @ Naveen Kumar,

... Petitioners/ Accused No.1to4

Vs

The Inspector of Police,
Kollidam Police Station,
Trichy District.

Crime No. 167/2024..

... Respondent/Complainant

For Petitioners: M/S.P.Ganapathi Subramanian, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 167 of 2024 on the file of the Respondent police.

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



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ORDER : The Court made the following order :-

The petitioners/ A1 to A4, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 303(2) of BNS and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in (*) Crime No.167 of 2024, seek anticipatory bail.

2.The case of the prosecution is the petitioners have illegally transported ½ unit of river sand. Hence, the complaint.

3.Heard both sides.

4.Sicne the first petitioner is having 10 previous cases including 2 cases of similar nature, this petition is dismissed insofar as the first petitioner is concerned.

5.Insofar as the petitioners 2 to 4 are concerned, even though, the second petitioner is having 1 previous case, considering the nature of allegations and also considering the fact that there are no bad antecedent as against the petitioners 3 & 4, this Court is inclined to grant anticipatory bail to the petitioners 2 to 3 with certain conditions.

6.Accordingly, the (*) petitioners 2 to 4 shall pay a sum of Rs.3,000/- (Rupees Three 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,
<https://www.mhc.tn.gov.in/judis>



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Melur Branch, Madurai), without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned District Munsif Cum Judicial Magistrate, Srirangam, Trichy District.

7. On production of such receipt, the (*) petitioners 2 to 4 are ordered to be released on bail in the event of arrest or on 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, Srirangam, Trichy District, on condition that the (*) petitioners 2 to 4 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 learned Magistrate concerned and on further conditions that:

(a) the (*) petitioners 2 to 4 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 2 to 4 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 (*) petitioners 2 to 4 shall not tamper with evidence or witness either during investigation or trial;

(d) the (*) petitioners 2 to 4 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 (*) petitioners 2 to 4 in accordance with law as if the conditions have been imposed and the (*) petitioners 2 to 4 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/-
19/08/2024

(*)Corrected as per the order of this Court dated 06/09/2024 made in CrI.O.P.(MD) No.13498 of 2024

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/ 09 /2024

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

DSS

TO

(*) To be substituted to the order already despatched on 19/08/2024

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
SRIRANGAM.



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

3 THE INSPECTOR OF POLICE
KOLLIDAM POLICE STATION,
TRICHY 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.

ORDER
IN
CRL OP(MD) No.13498 of 2024
Date :19/08/2024

PSP/ JGB /SAR /02.09.2024/ 5P/ 6C

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