



CRL OP(MD). No.13565 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

CRL OP(MD). No.13565 of 2024

Raja,

... Petitioner/Single Accused

Vs

The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
Crime No.230 of 2024.

... Respondent/Complainant

For Petitioner : M/s. Hishaam.A, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.230 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 04.08.2024 for the offences punishable under Section 303(2) BNS, 2023, in crime No.230 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal

possession of 12 gunny bags of river sand. Hence, the case.



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3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the facts and circumstances of the case and also considering the fact that the petitioner was arrested on 04.08.2024 and found to be in possession of 12 gunny bags of river sand, even though the application is opposed by the learned Additional Public Prosecutor on the ground that the petitioner is having six previous cases, including the case under NDPS Act, since the present fact of the case is only to illegal mining and is in possession of 12 gunny bags, I am inclined to grant bail to the petitioner on certain conditions.

5. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 (*)**Judicial Magistrate No.I, Srivaikundam.**

[i] the sureties shall affix their photographs and Left thumb Impression in the surety bond and the Special Court/concerned Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.



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[ii] the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five 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. Only upon deposit, the petitioner shall be enlarged on bail;

(iii)The petitioner shall report before the respondent police daily at 10.30 a.m, for a period of two weeks and thereafter, as and when required for interrogation;

[iv] the petitioner shall not tamper with evidence or witness;

[v] the petitioner shall not abscond during trial.

[vi] On breach of any of the aforesaid conditions, the learned Judicial 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].

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



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[vii] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
19/08/2024

**(*)CORRECTED AS PER THE ORDER OF THIS
HON'BLE COURT in CRL OP(MD)No.13565 of
2024 dated 20/08/2024.**

/ TRUE COPY /

20 / 08 /2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO

**TO BE SUBSTITUTED WITH THE ORDER DATED 19/08/2024 ALREADY
DESPATCHED**

1. THE JUDICIAL MAGISTRATE NO.I,
THIRUVADANAI.

2.THE JUDICIAL MAGISTRATE NO.I,
SRIVAIKUNDAM.

3. DO-THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

4. THE INSPECTOR OF POLICE
MURAPPANADU POLICE STATION,
THOOTHUKUDI DISTRICT.

5. THE OFFICER INCHARGE,
SUB JAIL, SRIVAIKUNDAM.



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6. 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.13565 of 2024
Date :19/08/2024

PSP/ /SAR /19.08.2024/ 5P/7C
LS

SS/GS/SAR- /20/08/2024/5P/8C

Madurai Bench of Madras High Court is issuing certified
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