



CRL OP(MD). No.13659 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Kalaingar @ Karunanithi,

2. David Nelson,

... Petitioners/ Accused
(Rank Not Known)

Vs

The Inspector of Police,
Town East Police Station,
Thanjavur District.
Crime No. 771 of 2024..

... Respondent/Complainant

For Petitioner : Mr.Dhilipan Pandian R L, 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. 771 of 2024 on the file of the Respondent police.



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ORDER : The Court made the following order :-

The petitioners/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS 2023 and Section 21 (1) of MMDR Act, 1957 in Crime.No.771 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein illegally transported 1 unit of river sand by using TATA Ace Vehicle. Hence, the complaint.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

4. The learned counsel for the petitioners seeks permission of this Court to withdraw this petition as against the first petitioner. In view of the same this Criminal Original Petition is dismissed as not pressed as against the first petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the 2nd petitioner is ready and willing to deposit a sum of Rs.15,000/-, I am inclined to enlarge the 2nd petitioner on anticipatory bail with certain conditions.

6.Accordingly, the 2nd petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Thanjavur District on

condition that the 2nd petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees



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Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the 2nd 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 2nd petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Light Social Welfare Trust, Account No.310100140450002, IFSC Code: TMBL0000310 Tamilnadu Mercantile Bank, Arumuganeri, Thoothukudi District without prejudice to his rights and contentions before the trial Court;

(c) the 2nd 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;

(d) the 2nd petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the 2nd petitioner 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 petitioner in accordance with

law as if the conditions have been imposed and the petitioner released on bail by the

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



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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;

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

sd/-
21/08/2024

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/ 09 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1 THE JUDICIAL MAGISTRATE
NO.I, THANJAVUR DISTRICT.

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

3 THE INSPECTOR OF POLICE
TOWN EAST POLICE STATION,
THANJAVUR DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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THE OFFICER INCHARGE
LIGHT SOCIAL WELFARE TRUST,
ARUMUGANERI,
THOOTHUKUDI DISTRICT.

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-10228[I] dated 21/08/2024)

ORDER
IN
CRL OP(MD) No.13659 of 2024
Date :21/08/2024

PSP/ VR /SAR /03.09.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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