



CRL OP(MD). No.14004 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14004 of 2024

1. Ramachandran

2. Dinesh,

3. Adaikkalam, ... Petitioners/ Accused NO.1,2 & 5

Vs

The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.
Cr.No.215 of 2024..

... Respondent/ Complainant

For Petitioners : M/s. Pitchai Muthu.M,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.



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PRAYER :-
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For Bail in Crime No.215 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who were arrested and remanded to judicial custody on 10.08.2024 for the offences punishable under Sections 303(2) of BNS 2023, r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No. 215 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners herein illegally transported 1¼ units of river sand by using Bullock Cart. Hence, the case.

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

4. Considering the nature of allegation and also considering the undertaking of the petitioners to show their bonafide they are ready and willing to deposit a sum of Rs.3,000/- each and also considering the period of incarceration, this Court is inclined



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to grant bail to the petitioners on certain conditions.

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5. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing 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 Judicial Magistrate, Peravurani, Thanjavur District.

[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.

[ii] the petitioners are directed to deposit a sum of Rs.3,000/- (Rupees Three Thousand only) each 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;

(iii)The petitioners 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 petitioners shall not tamper with evidence or witness;



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[v] the petitioners 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 petitioners 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].

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

sd/-
27/08/2024

/ TRUE COPY /

27/08/2024
Sub-Assistant Registrar (CS-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

1. The Judicial Magistrate, Peravurani, Thanjavur District.
2. Do-Through The Chief Judicial Magistrate,
Thanjore District @ Kumbakonam.
3. The Officer in charge, Sub Jail, Thanjavur.



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4.The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

The Officer in charge,
Light Social Welfare Trust,
Arumuganeri, Thoothukudi District

ORDER
IN
CRL OP(MD) No.14004 of 2024
Date :27/08/2024

RK (27/08/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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