



CRL OP(MD). No.14106 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Vinodh,

2. Mohamad Pilal,

(In Fir Mentioned as Billal Mohammed)

... Petitioners/ Accused 2 & 3

Vs

The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.
Cr.No.208 of 2024.

... Respondent/Complainant

For Petitioners : Mr.Balamuruganantham R,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- . For Anticipatory Bail in Crime No.208 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent



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police for the offences punishable under Section 303(2) of BNS and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.208 of 2024, seek anticipatory bail.

2. The case of the prosecution is that each the petitioners had illegally transported $\frac{1}{4}$ unit of river sand. Hence, the complaint.

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 nature of the offence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, this Petition is allowed and each of the petitioners shall pay a sum of Rs.7,500/- (Rupees Seven Thousand Five Hundred only) (totally Rs.15,000/-) to the credit of Light Social Welfare Trust, Arumuganeri (Account No.310100140450002, IFSC Code: TMBL0000310, Tamil Nadu Merchantile Bank, Arumuganeri), without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned District Munsif cum Judicial Magistrate, Peravurani, Thanjavur District.

6. On production of such receipt, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from



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the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Peravurani, Thanjavur District, on condition that the petitioners 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 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 shall report before the respondent police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners 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]; and;



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(f)if the accused thereafter abscond, a fresh FIR can be registered under Section

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

LS
TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
PERAVURANI, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
SETHUBAVACHATHIRAM POLICE STATION,
THANJAVUR DISTRICT.

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

COPY TO:
THE OFFICER INCHARGE,
LIGHT SOCIAL WELFARE TRUST,
ARUMUGANERI.

+1 CC to M/s.R.BALAMURUGANANTHAM, Advocate (SR-10502[I] dated
28/08/2024)



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ORDER

IN

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Date :28/08/2024

SA/VR/SAR. /11.09.2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.