



CRL OP(MD). No.14342 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14342 of 2024

1. Manikandan
2. Shanmugavel

... Petitioners/ Accused Rank Not Known

Vs

The Inspector of Police,
Sengipatti Police Station,
Thanjavur District.
(Crime No.367 of 2024).

... Respondent/Complainant

For Petitioner : M/s.K.M.Karunakaran, 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.367 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 police for the offences punishable under Sections 303(2) of BNS r/w Section 21(1) of

Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.367 of

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



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2024, seek anticipatory bail.

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2.The case of the prosecution is that the petitioner has illegally transported 3 units of gravel sand. Hence the case.

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 the arguments of the learned Counsel for the petitioner that the petitioner had valid permits and also considering the quantity of the mineral, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-III 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 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 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



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card or Bank pass Book to ensure their identity;

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(b)the petitioners shall report before the respondent police as and when required.

(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 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]; and;

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

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.

LR



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TO

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1 THE JUDICIAL MAGISTRATE NO.III, THANJAVUR DISTRICT.

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

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

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-10633[I] dated 30/08/2024)

ORDER

IN

CRL OP(MD) No.14342 of 2024

Date :30/08/2024

RS/SG/SAR-(09.09.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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