



CRL OP(MD). No.14285 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Senthil @ Senthilmurugan

2. Samathanam

3. Naganathan

4. Sarath @ Sarathkumar

... Petitioners/ Accused No.1, 3, 5 & 6

Vs

The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
(Crime No.289/2024)

... Respondent/Complainant

For Petitioners : Mr.R.Vinoth,
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.289/2024 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 49, 303(2) of BNS and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.289 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners have illegally transported 3 units of savudu 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.2,000/- (Rupees Two Thousand only) (Totally Rs.8,000/-) 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 Judicial Magistrate No.I, Ramanathapuram District.



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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 the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Ramanathapuram 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 two 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



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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 229-A IPC.

sd/-
29/08/2024

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/09/2024

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

LS
TO

1 THE JUDICIAL MAGISTRATE NO.I,
RAMANATHAPURAM DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

COPY TO

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

+1 CC to M/s.R.VINOTH, Advocate (SR-10664[I] dated 30/08/2024)
<https://www.mhc.tn.gov.in/judis>



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ORDER

IN

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Date :29/08/2024

RS/SG/SAR-(09.09.2024) 5P 7C

Madurai Bench of Madras High Court is issuing
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