



CRL OP(MD). No.14475 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14475 of 2024

Anbu Pandian,

... Petitioner/ Accused No.2

Vs

**The Inspector of Police,
Thirugokarnam Police Station,
Pudukkottai District
(Crime No. 289 of 2024).**

... Respondent/ Complainant

For Petitioner : M/s. Sathya Chidambaram.S., Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 289 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS, 2023 and Sections 21(1) and 21(2) of MMDR Act, 1957 in Crime.No.289 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein and other accused illegally transported 3 units of Kulathu Soil. Hence, the complaint.

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

4. Considering the facts and circumstances of the case and also considering the fact that property was recovered, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5.Accordingly, the 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.II, Pudukkottai, Pudukkottai District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees 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

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to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the 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 petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Headmistress, Government Higher Secondary School, Maharajapuram, Watrap Taluk, Virudhunagar District, (Account No.30596803302, CIF No; 85390730313, IFSC Code: SBIN0000921, State Bank of India, Srivilliputtur Branch), without prejudice to his rights and contentions before the trial Court;

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

(e) the 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 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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(g)if the accused thereafter absconds, 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.

TRP

TO

1 THE JUDICIAL MAGISTRATE
NO.II, PUDUKOTTAI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE
THIRUGOKARNAM POLICE STATION,
PUDUKKOTTAI DISTRICT

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

COPY TO
THE HEADMISTRESS,
GOVERNMENT HIGHER SECONDARY SCHOOL,
MAHARAJAPURAM, WATRAP TALUK,
VIRUDHUNAGAR DISTRICT.

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+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-10867[I] dated 04/09/2024)

ORDER
IN
CRL OP(MD) No.14475 of 2024
Date :02/09/2024

PSP/ SG /SAR /21.09.2024/ 5P/ 7C

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