



CRL OP(MD). No.14483 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

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1. Kali @ Kalidass,

2. Surya @ Muthusurya,

... Petitioners/ Accused No.2 & 3

Vs

The Inspector of Police,
Thiruchendur Police Station,
Thoothukudi District
(Crime No. 224 of 2024).

... Respondent/Complainant

For Petitioners : M/s. Raamakrishnan.Ka.,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 224 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS and under Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime.No.224 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein had illegally transported 1 unit of river sand. Hence, the complaint.

3. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. side) 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 the property has been recovered, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions.

5.Accordingly, the petitioners are ordered to be released on bail in the



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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, Tiruchendur 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 card or Bank pass Book to ensure their identity;

(b) the petitioners are directed to deposit a sum of Rs.8,000/- (Rupees Eight Thousand only) each 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, Srivilliputur Branch), without prejudice to his rights and contentions before the trial Court;

(c) the petitioners shall report before the respondent police daily at 10.30 am for



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a period of two weeks and thereafter, as and when required for interrogation;

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

(e)the petitioners 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;

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

sd/-
02/09/2024

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/09/2024

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

trp

TO

1 THE JUDICIAL MAGISTRATE,
TIRUCHENDUR.



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.

3 THE INSPECTOR OF POLICE

THIRUCHENDUR POLICE STATION, THOOTHUKUDI 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.

+1 CC to M/s.KA.RAAMAKRISHNAN, Advocate (SR-10737[I] dated 02/09/2024)

ORDER

IN

CRL OP(MD) No.14483 of 2024

Date :02/09/2024

SS/VR/SAR- /14/09/2024/5P/7C

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