



CRL OP(MD). No.14677 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14677 of 2024

G.Senthil,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thirukattupalli Police Station,
Thanjavur District.
(Crime No.395 of 2024).

... Respondent/Complainant

For Petitioner : M/s. Dhilipan Pandian.R.L,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.395 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 19.08.2024 for the offences punishable under Sections 303(2) of BNS, r/w. 21(1) of Mines and Minerals (Development and Regulations) Act, 1957 in crime No. 395 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein illegally transported $\frac{1}{4}$ unit of river sand by using Bullock Cart. Hence, the case.



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

4. Considering the nature of allegations made against the petitioner and considering the fact the property was recovered, I am inclined to enlarge the petitioner on bail.

5. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 learned Judicial Magistrate, Thiruvaiyaru.**

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner is directed to deposit a sum of Rs.6,000/- (Rupees Six 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;

(iii)the petitioner shall appear before the respondent Police daily at 10.30 a.m



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

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(iv)the petitioner shall not tamper with evidence or witness;

v)the petitioner shall not abscond during trial.

vi)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].

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

sd/-
03/09/2024

**(*)CORRECTED AS PER ORDER OF THE
COURT DATED 04.09.2024 IN CRL
OP(MD)NO.14677/2024**

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04/09/2024
Sub-Assistant Registrar (CO)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP



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**TO BE SUBSTITUTED WITH THE ORDER DATED 03/09/2024 ALREADY
DESPATCHED**

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
PERAVURANI,
THANJAVUR DISTRICT.
2. THE JUDICIAL MAGISTRATE,
THIRUVAIYARU.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 4 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR, THANJAVUR DISTRICT.
- 5 THE INSPECTOR OF POLICE,
THIRUKATTUPALLI POLICE STATION,
THANJAVUR DISTRICT.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

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

ORDER IN
CRL OP(MD) No.14677 of 2024
Date :03/09/2024



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SA/SA/SAR. /03.09.2024/5P/7C

RK(04.09.2024) 4P/8C

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