



CRL OP(MD). No.14822 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14822 of 2024

Vasakar

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Gandamanoor Police Station,
Theni District.
Crime No. 135/2024.

... Respondent/Complainant

For Petitioner : Mr.P.Senguttuarasan,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No. 135 of 2024 on the file of the respondent police.



CRL OP(MD). No.14822 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 14.08.2024 for the offences punishable under Sections 303(2) of BNS, 2023 and Section 21(4) of Mines and Minerals (Development and Regulations) Act, 1957, in Crime No.135 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein had illegally transported 1/4 unit of river sand. Hence, the case.

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 also considering the fact the there is no previous case pending against the petitioner, 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 Judicial Magistrate Court, Aundipatti, Theni District.



CRL OP(MD). No.14822 of 2024

WEB COPY

(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.3,000/- (Rupees Three 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 for a period of two weeks and thereafter, as and when required for interrogation;

(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

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



CRL OP(MD). No.14822 of 2024

WEB COPY

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/-
04/09/2024

/ TRUE COPY /

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

dss

TO

1. The Judicial Magistrate, Aundipatti, Theni District.
2. Do-Through The Chief Judicial Magistrate,
Theni District.
3. The Officer in charge, District Prison, Theni..
- 4.The Inspector of Police,
Gandamanoor Police Station,
Theni District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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



CRL OP(MD). No.14822 of 2024

WIDECOPY
Copy to

The Headmistress, Government Higher Secondary School,
Maharajapuram, Watrap Taluk, Virudhunagar District,

ORDER
IN
CRL OP(MD) No.14822 of 2024
Date :04/09/2024

RK (04/09/2024) 5P / 7C

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