



CRL OP(MD). No.15032 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15032 of 2024

1. Ganesan,

2. Palanisamy,

3. Nehruraj,

4. Kannan,

... Petitioners/ Accused Nos.1to4

Vs

The State of Tamilnadu,
Rep by the Sub Inspector of Police,
Viralmalai Police Station,
Pudukkottai District.
Crimenos.279 of 2024.

... Respondent/ Complainant

For Petitioners : Mr.S. Sekar,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :- For Anticipatory Bail in Crime no.279 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 303(2) of BNS, 2023 and Section 21(1) of Mines and Minerals (Development & Regulation) Act, in Crime No.279 of 2024, seek anticipatory bail.

2.The case of the prosecution is the petitioners have illegally transported 6 units of red sand. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations and also considering the fact that there are no bad antecedents against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, the petitioners shall pay a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred only) each to the credit of Headmistress, Government Higher Secondary School, E.Malampatti, Melur Taluk, Madurai District. (Account No.10662832760, CIF No; 80521814092, IFSC Code: SBIN0000258, State Bank of India, Melur Branch, Madurai), without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial

Magistrate, Viralimalai.

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



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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, Viralimalai, 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 in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



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(f)if the accused thereafter absconds, a fresh FIR can be registered under Section

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229-A IPC.

sd/-
09/09/2024

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/09/2024

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

DSS
TO

1 THE JUDICIAL MAGISTRATE,
VIRALIMALAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, PUDUKKOTTAI DISTRICT.

3 THE SUB INSPECTOR OF POLICE,
VIRALIMALAI POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

COPY TO:
THE HEADMISTRESS,
GOVERNMENT HIGHER SECONDARY SCHOOL,
E.MALAMPATTI, MELUR TALUK,
MADURAI DISTRICT.

+1 CC to M/s.S.SEKAR, Advocate (SR-11067[I] dated 09/09/2024)



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ORDER
IN
CRL OP(MD) No.15032 of 2024
Date :09/09/2024

SA/SG/SAR. /14.09.2024/5P/7C

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