



CRL OP(MD). No.15188 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15188 of 2024

C.Arivalagan,

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Thirukattupalli Police Station,
Thanjavur District.
Crime No. 419/2024..

... Respondent/Complainant

For Petitioner : Mr.Dhilipan Pandian R L,
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. 419 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 01.09.2024 for the offence punishable under Sections 303(2) of BNS r/w. 21(1) of Mines and Minerals (Development and Regulations) Act, 1957 in Crime No.419 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. Hence, the case.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.

4.Considering the nature of allegation and also considering the undertaking of the petitioner to show his bonafide he is ready and willing to deposit a sum of Rs.2,000/- and also considering the fact that the petitioner is in jail from 01.09.2024, I am inclined enlarge the petitioner on bail on certain conditions.

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



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Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District.

[i] the sureties shall affix their photographs and Left thumb Impression in the surety bond and the Special Court/concerned Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[ii] As per undertaken, the petitioner is directed to deposit a sum of Rs.2,000/- (Rupees Two Thousand only) to the credit of Light Social Welfare Trust, Account No.310100140450002, IFSC Code: TMBL0000310 Tamilnadu Mercantile Bank, Arumuganeri, Thoothukudi District without prejudice to his rights and contentions before the trial Court;

(iii)The petitioner shall report 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 Judicial



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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 229A IPC.

sd/-
10/09/2024

/ TRUE COPY /

10/09/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. The Judicial Magistrate,
Thiruvaiyaru, Thanjavur District.
2. Do-Through The Chief Judicial Magistrate,
Thanjore District @ Kumbakonam.
3. The Officer in charge, District Prison, Thanjavur, Thanjavur District.
4. The Inspector of Police,
Thirukattupalli Police Station,
Thanjavur District.



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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

The Officer in charge, Light Social Welfare Trust,
Arumuganeri, Thoothukudi District

ORDER
IN
CRL OP(MD) No.15188 of 2024
Date :10/09/2024

RK (10/09/2024) 5P / 7C
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