



CRL OP(MD). No.15202 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.15202 of 2024

1. R.Kooriraja,

2. S.Sabari @ Sabarinathan

... Petitioners/ Accused Nos.1&2

Vs

The State of Tamilnadu,
The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
Crime No.301 of 2024..

... Respondent/Complainant

For Petitioners : Mr.Athamali S.,
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.301 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, and Section 303(2) BNS, in Crime No.301 of 2024, seek anticipatory bail.

2.The case of the prosecution is the petitioners have illegally transported $\frac{1}{4}$ unit of savudu sand. Hence, the complaint.

3.Heard both sides.

4.Since the first petitioner has got 6 previous cases including 1 case of similar nature, this petition is dismissed against the first petitioner is concerned.

5.Insofar the second petitioner is concerned, considering the nature of the allegations, this Court is inclined to grant anticipatory bail to him with certain conditions.



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6. Accordingly, the second petitioner shall pay a sum of Rs.1,000/- (Rupees One 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, Srivilliputur Branch), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the Judicial Magistrate Court No.I, Ramanathapuram District.

7. On production of such receipt, the second petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court No.I, Ramanathapuram District, on condition that the second petitioner shall execute 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 Magistrate concerned and on further conditions that:

(a) the second petitioner 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 second petitioner 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;



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(c)the second petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the second petitioner 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 second 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;

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

sd/-

10/09/2024

/True Copy/

/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 NO.I
RAMANATHAPURAM DISTRICT.



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM 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

ORDER
IN

CRL OP(MD) No.15202 of 2024

Date :10/09/2024

SS/VR/SAR- /23/09/2024/5P/6C

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