



CRL OP(MD). No.15325 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15325 of 2024

Balasubramaniyan ... Petitioners/SoleAccused

Vs

The Inspector of Police,
Kadayam Police Station,
Tenkasi District.

Crime No.221/2024. ... Respondent/Complainant

For Petitioner : Mr.A.Sankara Ramasubramanian,
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.221/2024 on the file of the respondent police



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ORDER : The Court made the following order :-

The petitioner/Accused, who is arrested and remanded to judicial custody on 03.09.2024 for the offences punishable under Sections 303(2) of BNS, in Crime No.221 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had illegally transported one unit of pond soil. Hence, the case.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the facts and circumstances of the case and also considering the quantity of minerals involved, I am inclined to grant bail to the petitioner 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 Ten Thousand only) with two sureties each for a like sum to the satisfaction of the



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learned Judicial Magistrate, Tenkasi.

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[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] the petitioner is directed to deposit a sum of Rs.2,000/- (Rupees Two 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, Srivilliputhur Branch, Virudhunagar), without prejudice to his rights and contentions before the trial Court. Only upon deposit, the petitioner shall be enlarged on bail;

[iii]The petitioner shall report before the respondent police daily at 10.30 a.m, for a period of one week 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

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



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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/-
11/09/2024

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11/09/2024
Sub-Assistant Registrar (Liasoning)
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr

TO

1. The Judicial Magistrate, Tenkasi.
- 2.. The Chief Judicial Magistrate, Tenkasi.
3. The Superintendent, Central Prison,
Palayamkottai, Tirunelveli.
4. The Inspector of Police,
Kadayam Police Station,
Tenkasi District.



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

Copy to

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

ORDER
IN
CRL OP(MD) No.15325 of 2024
Date : 11.09.2024

KB -(11.09.2024) 5P/ 7C

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