



CRL OP(MD). No.15479 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15479 of 2024

1. Akbar,

2. Noormohamed,

... Petitioners/ Accused(Rank not known)

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Devakottai Taluk Police Station,
Sivgangai District.
Crime No. 207/2024..

... Respondent/Complainant

For Petitioners : M/s. Krishnan. A.S,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 207 of 2024 on the file of the Respondent police.

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



CRL OP(MD). No.15479 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioners /accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS and Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime.No.207 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners herein had illegally transported 2 units of river sand. Hence, the complaint.

3. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent Police and perused the materials available on record.

4. Considering the facts and circumstances of the case and also considering the fact that the petitioners are ready and willing to deposit a sum of Rs.15,000/- each, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions.

5.Accordingly, 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

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



CRL OP(MD). No.15479 of 2024

WEB COPY

of receipt of a copy of this order, before the learned Judicial Magistrate, Devakkottai, Sivagangai District 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 respondent Police or to the Police Officer, who intends to arrest or 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) As per undertaken, the petitioners are directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each 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 their rights and contentions before the trial Court;

(c) the petitioners shall report before the respondent police daily at 10.30 am for

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



CRL OP(MD). No.15479 of 2024

a period of two weeks and thereafter, as and when required for interrogation;

WEB COPY

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f)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;

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

sd/-
13/09/2024

/ TRUE COPY /

/10/2024

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

TRP

TO

1.THE JUDICIAL MAGISTRATE, DEVAKKOTTAI, SIVAGANGAI DISTRICT

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



CRL OP(MD). No.15479 of 2024

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.

3.THE INSPECTOR OF POLICE,
DEVAKOTTAI TALUK POLICE STATION,
SIVGANGAI DISTRICT.

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

COPY TO

HEADMISTRESS,
GOVERNMENT HIGHER SECONDARY SCHOOL, MAHARAJAPURAM, WATRAP
TALUK, VIRUDHUNAGAR DISTRICT,

+1 CC to M/s.A.S.KRISHNAN, Advocate (SR-11342[I] dated 13/09/2024)

ORDER
IN

CRL OP(MD) No.15479 of 2024

Date :13/09/2024

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

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