



CRL OP(MD). No.15460 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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P.Surendar,

... Petitioner/ Accused No.5

Vs

State Rep by the Sub Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.
Crime No.239/2024..

... Respondent/Complainant

For Petitioner : Mr.G.Aravinthan, Advocate
for M/s.Aran Legal Consultancy, Advocate.
For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

Petition for anticiapatory Bail under section 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.239/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS r/w. Section 21(1) of



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Mines and Minerals (Development and Regulation) Act, 1957 in Crime.No.239 of 2024, seeks anticipatory bail.

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2.The case of the prosecution is that the petitioner herein and other accused have illegally taken the 2 units of sand from the patta land. Hence, the complaint.

3. Heard the learned counsel for the petitioner 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 petitioner is ready and willing to deposit a sum of Rs.1,000/-, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Valliyoor on condition that the 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 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:



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(a) the 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) As per undertaken, the petitioner is directed to deposit 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;

(c) the 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;

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

(e) the petitioner 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 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;



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

TRP

TO

1. THE JUDICIAL MAGISTRATE, VALLIYOOR.
2. DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.
3. THE SUB INSPECTOR OF POLICE,
PAZHAVOOR POLICE STATION,
TIRUNELVELI 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.

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



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+1 CC to M/s.G.ARAVINTHAN, Advocate (SR-11337[I] dated 13/09/2024)

+1 CC to M/s.G.ARAVINTHAN, Advocate (SR-11346[I] dated 18/09/2024)

ORDER

IN

CRL OP(MD) No.15460 of 2024

Date :13/09/2024

ED/MMS/SAR/ (15/10/2024) 5P/8C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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