



CRL OP(MD). No.15755 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Selvarajan

... Petitioner/ Accused No.1

Vs

**The State of Tamilnadu,
Rep by the Inspector of Police,
Pazhavor Police Station,
Thirunelveli District.
Crime No. 239 of 2024**

... Respondent/ Complainant

For Petitioner : M/s.C. Susikumar, Advocate.

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

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

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

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 07.09.2024 for the offences punishable under Sections 303(2) of BNS Act and 21(1) of Mines and Minerals (Development and Regulations) Act, 1957 in Crime No.239 of 2024 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner herein and other accused have illegally transported 2 units of lake 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.1,000/- and also considering the fact that the petitioner is in jail from 07.09.2024, 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 Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Valliyoor.

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



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Srivilliputtur Branch), 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 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 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/-
19/09/2024

/ TRUE COPY /

19 / 09 / 2024
Sub-Assistant Registrar (Writs)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO
WEB COPY

1. THE JUDICIAL MAGISTRATE,
VALLIYOOR.
2. DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
PAZHAVOOR POLICE STATION,
TIRUNELVELI DISTRICT.
4. THE OFFICER INCHARGE,
SUB JAIL NANGUNERI.
5. 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.15755 of 2024
Date :19/09/2024

PSP/ /SAR /19.09.2024/ 4P/ 7C

Madurai Bench of Madras High Court is issuing certified
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