



CRL OP(MD). No.15845 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15845 of 2024

Kenkai Athithan,

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli District.
Crime No. 208/2024.

... Respondent/ Complainant

For Petitioner : Mr.T.A. Ebenezer,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 208 of 2024 on the file of the Respondent Police
ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on

30.08.2024 for the offences punishable under Sections 303(2) of BNS, 2023 and Section
<https://www.mhc.tn.gov.in/judis>



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21(4) of MMDR Act, 1957 in crime No. 208 of 2024 on the file of the respondent police,
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seeks bail.

2.The case of the prosecution is that the petitioner herein had illegally transported 5 units of Kulathu sand. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4. Considering the nature of allegations made against the petitioner and considering the fact the petitioner is in jail from 30.08.2024, I am inclined to enlarge the petitioner on bail.

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 learned Judicial Magistrate, Nanguneri.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/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,



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Maharajapuram, Watrap Taluk, Virudhunagar District, (Account No.30596803302,

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CIF No; 85390730313, IFSC Code: SBIN0000921, State Bank of India, Srivilliputtur

Branch), without prejudice to his rights and contentions before the trial Court;

(iii)the petitioner shall appear 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 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 229-A IPC.

sd/-
20/09/2024

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20/09/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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DSS
TO
WEB COPY

1 THE JUDICIAL MAGISTRATE,
NANGUNERI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE,
VIJAYANARAYANAM POLICE STATION,
TIRUNELVELI DISTRICT.

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,



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+1 CC to M/s.T.A.EBENEZER, Advocate (SR-11455[I] dated 20/09/2024)

ORDER
IN
CRL OP(MD) No.15845 of 2024
Date :20/09/2024

SA/SAR. /20.09.2024/5P/8C

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