



CRL OP(MD). No.16043 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16043 of 2024

Saminathan

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Kattuputhur Police Station,
Kattuputhur, Trichy District.
Crime No. 251/2024..

... Respondent/ Complainant

For Petitioner : Mr.T. Vadivelan,
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. 251 of 2024 on the file of the Respondent police.

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



CRL OP(MD). No.16043 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 303(2) of BNS, 2023 and r/w 21(4) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.251 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported 1/4 unit of river sand. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations, this Court is inclined to enlarge the petitioner on anticipatory bail on certain conditions.

5.Accordingly, the petitioner shall pay a sum of Rs.4,000/- (Rupees Four Thousand only) to the credit of Headmaster, Government Higher Secondary School, G.Udayapatti, Kulithalai, Karur District, (Account No.31470991902, CIF No; 85896796279, IFSC Code: SBIN0000863, State Bank of India, Kulithalai Branch), without prejudice to his rights and contentions before the trial Court and produce the



CRL OP(MD). No.16043 of 2024

receipt/acknowledgement before the learned Judicial Magistrate, Thottiyam.

WEB COPY

6.On production of such receipt, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thottiyam, 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 learned Magistrate concerned and on further conditions that:

(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)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;

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

(d)the petitioner shall not abscond either during investigation or trial;



CRL OP(MD). No.16043 of 2024

WEB COPY

(e)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;

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

sd/-
24/09/2024

/ TRUE COPY /

/10/2024
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

dss

TO

1. THE JUDICIAL MAGISTRATE, THOTTIYAM
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
KATTUPUTHUR POLICE STATION,
KATTUPUTHUR, TRICHY DISTRICT.



CRL OP(MD). No.16043 of 2024

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

COPY TO

THE HEADMASTER,
GOVERNMENT HIGHER SECONDARY SCHOOL,
G.UDAYAPATTI, KULITHALAI, KARUR DISTRICT,

+1 CC to M/s.T.VADIVELAN, Advocate (SR-11648[I] dated 24/09/2024)

ORDER
IN
CRL OP(MD) No.16043 of 2024
Date :24/09/2024

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

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