



CRL OP(MD). No.16046 of 2024

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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.16046 of 2024

Sujin,

... Petitioner/ Accused No.4

Vs

The State of Tamilnadu,
Rep. by the Sub Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.
Crime No. 275/2024.

... Respondent/Complainant

For Petitioner : Mr.S.Krishna Kumar, Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 275 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

*** The petitioner/A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS, 2023 & Section 21(1) of the Mines and Minerals (Development and Regulation), Act 1957 in Crime.No.275 of 2024, seeks anticipatory bail.**



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2.The case of the prosecution is that the petitioner herein and other accused had illegally transported 30 tonnes of Jalli Stones. 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.25,000/- and he will file an undertaking affidavit that he will not involve in similar nature of offence in future, 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, Radhapuram, Thirunelveli District 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:

(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



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card or Bank pass Book to ensure their identity;

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(b) As per undertaken, the petitioner will file an undertaking affidavit that he will not involve in similar nature of offence in future and he is also directed to deposit a sum of Rs.25,000/- (Rupees Twenty Five 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;

(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

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229-A IPC.**

sd/-
24/09/2024

(*) Corrected as per order of the Court dated 25.10.2024 in CRL OP(MD) No.16046 of 2024.

The matter is listed today, under the caption “for being mentioned”.

2. It can be seen that portion of the original order is correctly uploaded and the rest of the order is a cut and paste mistake from some other order. But the name of the Court and all the particulars including the amount of Rs.25,000/- everything is correctly mentioned in the original order signed by the court it is stated that Rs.2000/-, which has already been paid by the petitioner based on the erroneous order. So the same can be taken into account and the balance amount of Rs.23,000/- can now be paid by one more payment.

3. Therefore, Registry is directed to upload the correct order copy and issue a fresh order copy. In view of the order being passed, the time for complying the conditions is extended for a period of two weeks from the date of receipt of a copy of this order.

4. The order is clarified accordingly.

/ TRUE COPY /

/11/2024

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



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TO

To be substituted to the order which is already despatched on 24.09.2024

1 THE JUDICIAL MAGISTRATE

RADHAPURAM TIRUNELVELI DISTRICT. .

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI DISTRICT.

3 THE SUB INSPECTOR OF POLICE,

RADHAPURAM POLICE STATION, TIRUNELVELI DISTRICT.

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.

ORDER

IN

CRL OP(MD) No.16046 of 2024

Date :24/09/2024

SS/VR/SAR- /18/10/2024/ 5P/6C

ED/ GSV /SAR- (22/11/2024) 5P / 6C

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