



CRL OP(MD). No.15992 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.15992 of 2024

1. T.Sivasankar,

2. S.Santhosh,

... Petitioners/ Accused No.1 & 2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Kattuputhur Police Station,
Trichy District.
Crime No.246 of 2024..

... Respondent/ Complainant

For Petitioner : Mr.K.Arunraj,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime no.246 of 2024 on the file of the Respondent Police.

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



CRL OP(MD). No.15992 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioners / Accused, who were arrested and remanded to judicial custody on 11.09.2024 for the offences punishable under Sections 303(2) of BNS, 2023 r/w. 21 (4) of Mines and Minerals (Development and Regulations) Act, 1957 in Crime No.246 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners herein had illegally transported $\frac{1}{2}$ unit of river sand. Hence, the case.

3. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police.

4. Considering the nature of allegation and also considering the undertaking of the petitioners to show their bonafide they are ready and willing to deposit a sum of Rs.4,000/- and also considering the fact that the petitioners are in jail from 11.09.2024, I am inclined enlarge the petitioners on bail on certain conditions.

5. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees



CRL OP(MD). No.15992 of 2024

WEB COPY

Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned District Munsif – cum - Judicial Magistrate, Thottiyam.

[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 petitioners are directed to deposit a sum of Rs.4,000/- (Rupees Four Thousand only) each 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 their rights and contentions before the trial Court;

(iii)The petitioners 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 petitioners shall not tamper with evidence or witness;

[v] the petitioners shall not abscond during trial.



CRL OP(MD). No.15992 of 2024

WEB COPY

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 petitioners 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/-
24/09/2024

/ TRUE COPY /

24/09/2024
Sub-Assistant Registrar (CS- IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp

TO

1. The District Munsif – cum - Judicial Magistrate, Thottiyam.
2. Do-Through The Chief Judicial Magistrate,
Trichy District.
3. The Officer in charge, Sub Jail, Musiri.



CRL OP(MD). No.15992 of 2024

4. The Inspector of Police,
Kattuputhur Police Station,
Trichy District.

5. 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.K.ARUNRAJ, Advocate (SR-11638[I] dated 24/09/2024)

ORDER
IN
CRL OP(MD) No.15992 of 2024
Date :24/09/2024

RK (24/09/2024) 5P / 8C

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