



CRL OP(MD). No.16075 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.16075 of 2024

Balamurugan

... Petitioner/ Accused 7

Vs

The Inspector of Police,
Muthaiahpuram Police Station,
Thoothukudi District.
Crime No.267/2024.

... Respondent/ Complainant

For Petitioner : Mr.S.Vishnuvardhan,
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. 267 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 05.09.2024 for the offences punishable under Section 303(2) of BNS, 2023 in Crime No.267 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner herein and other accused had illegally transported 9 units of red 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.5,000/- and also considering the fact that the petitioner is in jail from 05.09.2024, 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) with two sureties each for a like sum to the satisfaction of the



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learned Judicial Magistrate No.II, Thoothukudi.

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[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.5,000/- (Rupees 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 their 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 petitioner in

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



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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/-
24/09/2024

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

TRP

TO

1. The Judicial Magistrate No.II, Thoothukudi.
2. Do-Through The Chief Judicial Magistrate,
Tuticorin District.
3. The Officer in charge, District Jail, Peraurani, Tuticorin District.
- 4.The Inspectorof Police,
Muthaiahpuram Police Station,
Thoothukudi District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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The Headmaster,
Government Higher Secondary School, G.Udayapatti, Kulithalai, Karur District

ORDER
IN
CRL OP(MD) No.16075 of 2024
Date :24/09/2024

RK (24/09/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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