



CRL OP(MD). No.16285 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 26/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16285 of 2024

Sivaraja

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,  
Rep. By, the Inspector of Police,  
Saptur Police Station,  
Madurai.  
(Crime No.150/2024).

... Respondent/Complainant

For Petitioner : Mr.S.Sankar  
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.150 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the



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respondent police for the offences punishable under Section 303(2), (\*)**318(4)** BNS Act and Section 21(5) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.150 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had illegally transported one unit of Kanmai sand. Hence, the complaint.

3. Heard the learned counsel on either side and perused the material records of the case..

4. Considering the facts and circumstances of the case and also considering the nature of the offence alleged, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, this Petition is allowed and the petitioner shall pay a sum of Rs.2,000/- (Rupees Two Thousand only) to the credit of Head Master, Government Higher Secondary School, Udayapatty, Karur (Account No.31470991902, IFSC Code: SBIN0000863, State Bank of India, Kulithalai), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate, Peraiyur.



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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, Peraiyur, 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;

(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;



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

sd/-  
26/09/2024

**(\*)AMENDED AS PER ORDER OF THE COURT  
DATED 16/10/2024 IN CRL MP(MD).10912 OF 2024 in  
CRL OP(MD).16285 of 2024.**

**FURTHER TIME FOR EXECUTING SURETIES IS  
EXTENDED FOR A PERIOD OF ONE WEEK FROM  
THE DATE OF RECEIPT OF A COPY OF THIS  
ORDER. NO FURTHER EXTENSION WILL BE  
GIVEN.**

/ TRUE COPY /

/10/2024

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

LS

TO

**TO BE SUBSTITUTED WITH THE ORDER DATED 26/09/2024 ALREADY  
DESPATCHED.**

1 THE JUDICIAL MAGISTRATE  
PERAIYUR

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,  
SAPTUR POLICE STATION,  
MADURAI.



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

COPY TO:

THE HEAD MASTER,  
GOVERNMENT HIGHER SECONDARY SCHOOL,  
UDAYAPATTY, KARUR

+1 CC to M/s.S.SANKAR, Advocate ( SR-12525[I] dated 16/10/2024 )

ORDER  
IN

CRL OP(MD) No.16285 of 2024

Date :26/09/2024

SS/VR/SAR- /01/10/2024/5P/7C

**TRP**

SS/MMS/SAR- /21/10/2024/5P/7C

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