



CRL OP(MD). No.16371 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Rakeswaran,

2. Periya Prasanth,

... Petitioners/ Accused 1 & 2

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Kattuputhur Police Station,
Trichy District.
Cr.No.259 of 2024.

... Respondent/Complainant

For Petitioner : M/s.K. Arunraj,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.259 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 petitioners/accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS, 2023 r/w. Section 21 (4) of the Mines and Minerals (Development and Regulation), Act 1957 in Crime.No.259 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein had illegally transported $\frac{1}{2}$ unit of river sand. 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 petitioners are ready and willing to deposit a sum of Rs.10,000/-, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions.

5.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif Cum Judicial Magistrate, Thottiyam on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest



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or to the satisfaction of the learned Magistrate concerned and on further conditions
that:

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(a) the petitioners 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) As per undertaken, the petitioners are directed to deposit a sum of Rs.10,000/- (Rupees Ten 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by



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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;

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

sd/-
27/09/2024

/ TRUE COPY /

/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / 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 INSPECTOR OF POLICE,
KATTUPUTHUR POLICE STATION,
TRICHY 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



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+1 CC to M/s.K.ARUNRAJ, Advocate (SR-11911[I] dated 30/09/2024)

ORDER
IN
CRL OP(MD) No.16371 of 2024
Date :27/09/2024

SA/JGB/SAR. /16.10.2024/5P/7C

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