



CRL OP(MD). No.16457 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Yogeshwaran

2. Ajith

... Petitioners/ Accused No 1 and 2

Vs

The Sub-Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.
(In Crime No.391/2024).

... Respondent

For Petitioner : Mr.Jagadeeshwaran.R, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.391 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ A1 and A2, who apprehend arrest at the hands of the



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respondent police for the offences punishable under Sections 303(2) of BNS, 2023 and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.391 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners had illegally transported one unit of river sand. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.

4.Considering the nature of allegations, this court is inclined to grant anticipatory bail to the petitioners 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 on which the order copy made ready, before the learned Judicial Magistrate Court No.2, Srivilliputhur, Virudhunagar District, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb



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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 petitioners are directed to deposit a sum of Rs.15,000/- (Rupees Fifteen 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. Only upon deposit, the learned Magistrate shall accept the sureties;

[c] 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.

[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 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].



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[g] If the accused thereafter abscond, a fresh FIR can be registered under Section

229A IPC.

sd/-

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/ 10 / 2024

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

SJI

TO

1 THE JUDICIAL MAGISTRATE
COURT NO.2, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT,

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE SUB-INSPECTOR OF POLICE
SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR 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

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



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+1 CC to M/s.R.JEGADEESHWARAN, Advocate (SR-12049[I] dated 01/10/2024)

ORDER

IN

CRL OP(MD) No.16457 of 2024

Date :30/09/2024

PSP/ JGB /SAR /17.10.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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