



**CRL OP(MD). No.16670 of 2024**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**( Criminal Jurisdiction )**

**Date : 01.10.2024**

**PRESENT**

**The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY**

**CRL OP(MD). No.16670 of 2024**

**1. Suresh**

**2. Suresh**

**... Petitioners/ Accused No.6 & 7**

**Vs**

**The Sub-Inspector of Police,  
Kallal Police Station,  
Sivagangai District.  
Crime No.159 of 2024**

**... Respondent/Complainant**

**For Petitioners: Mr.A.Balaji, 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.159 of 2024 on the file of the Respondent  
police.**



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**ORDER :** The Court made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 303(2) of BNS, 2023 r/w. 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.159 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners had illegally transported three units of river 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 quantity of minerals involved, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions.

5. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Karaikudi, on condition that the petitioner 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 or to the satisfaction of the learned Magistrate concerned and on further



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conditions that:

(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)the petitioners are directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only)each to the credit of the Environmental Committee Operated by the Registrar (Judicial) [Account No.7633863037; MICR Code: 625019020, CIF No: 30602376727, IFSC Code: IDIB000H040, High Court Branch, Madurai (2001)], without prejudice to their rights and contentions before the trial Court. Only upon deposit, the petitioners shall be enlarged on anticipatory bail;

[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



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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/-  
01/10/2024

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/ 10 / 2024  
Sub-Assistant Registrar (C.S. I / II / III / IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

JBR

TO

1 THE JUDICIAL MAGISTRATE  
KARAIKUDI.

2 DO-THROUGH  
THE CHIEF JUDICIAL MAGISTRATE,  
SIVAGANGAI DISTRICT.

3 THE SUB INSPECTOR OF POLICE,  
KALLAL POLICE STATION,  
SIVAGANGAI DISTRICT

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



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THE SECTION OFFICER,  
ACCOUNTS SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC to M/s.A.BALAJI, Advocate ( SR-12033[I] dated 01/10/2024 )

ORDER  
IN  
CRL OP(MD) No.16670 of 2024  
Date :01/10/2024

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

Madurai Bench of Madras High Court is issuing certified  
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