



CRL OP(MD). No.16744 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.16744 of 2024

Dinakaran

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Paramakudi Taluk Police Station,
Ramnad District.
Cr.No.193 of 2024.

... Respondent/Complainant

For Petitioner :Mr. D.Senthil,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.193 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 apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS, 2023 and 21(1) of Mines and Minerals (Development and Regulation) Act, in Crime.No.193 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein tried to transport the river sand by using 407 Lorry. 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. The allegation against the petitioner is serious in nature. The petitioner is said to have indulged in illegal quarrying of river sand in the Vaigai river. It is stated that twice the petitioner was found to be doing the same and before the police party could arrive at the scene, he would run away from the scene. It is stated that he decamped with the 407 lorry. The learned counsel for the petitioner submits that there is absolutely no material to make such allegations. Considering the prayer



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made by the learned counsel for the petitioner, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Paramakudi 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 respondent Police or to the Police Officer, who intends to arrest or 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 three weeks and thereafter, as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(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;

(f)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 (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. The Judicial Magistrate, Paramakudi
2. Do-Through The Chief Judicial Magistrate,
Ramanathapuram District.



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3. The Inspector of Police,
Paramakudi Taluk Police Station,
Ramnad District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to MR.D.SENTHIL, Advocate SR NO.55610 DATED 03.10.2024

ORDER
IN
CRL OP(MD) No.16744 of 2024
Date :01/10/2024

RK/VR (18/10/2024) 5P / 6C

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