



CRL OP(MD). No.16755 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

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1. Gopalsamy

2. Nagarajan

... Petitioners/ Rank Not Known

Vs

**The Inspector of Police,
Nagudi Police Station,
Nagudi, Pudukkottai District.
Crime No.232 of 2024**

... Respondent/ Complainant

For Petitioners: Mr.R.Prasanna, 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.232 of 2024 on the file of the Respondent



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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 r/w. 21(1) and 21(2) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.232 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners had illegally transported 1/4 unit 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, Aranthangi, 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



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further 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.5,000/- (Rupees Five 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
ARANTHANGI,

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

3 THE INSPECTOR OF POLICE,
NAGUDI POLICE STATION,
NAGUDI, PUDUKKOTTAI 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.R.PRASANNA, Advocate (SR-12084[I] dated 03/10/2024)

ORDER
IN
CRL OP(MD) No.16755 of 2024
Date :01/10/2024

PSP/ JGB /SAR /15.10.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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