



CRL OP(MD). No.16951 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Palanivel

... Petitioner/ Accused No.6

Vs

**The State of Tamilnadu,
Rep. by the Inspector of Police,
Sethubavachathriam Police Station,
Thanjavur District**

... Respondent/Complainant

For Petitioner : Mr.K Arunraj, 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.279 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A6, who apprehends arrest at the hands of the respondent

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



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police for the offences punishable under Section 303(2) of BNS and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.279 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that each of the accused had illegally transported $\frac{1}{4}$ unit of river sand.

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

4.Considering the nature of allegations, this this court is inclined to grant anticipatory bail to the petitioner, with certain conditions:

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate Court, Peravurani, 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 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 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

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card or Bank Pass Book to ensure their identity.

[b] the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Environmental Committee Operated by Registrar (Judicial) [Account No.7633863037; MICR Code: 625019020, CIF No: 30602376727, IFSC Code: IDIB000H040, High Court Branch, Madurai (2001)], without prejudice to his defence before the trial Court and the concerned Magistrate, after perusing the challan/ receipt, shall accept the sureties furnished by the petitioner.

[c] the petitioner 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 petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner 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 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].



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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
04/10/2024

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

SJI

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, PERAVURANI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THANJORE DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
SETHUBAVACHATHRIAM POLICE STATION, THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

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

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-12272[I] dated 04/10/2024)



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ORDER
IN
CRL OP(MD) No.16951 of 2024
Date :04/10/2024

PSP/ JGB /SAR /25.10.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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