



CRL OP(MD). No.16986 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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Vadamalai

... Petitioner/ Accused 2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Karaiyur Police Station,
Pudukkottai District.
(In Crime No 119/2024).

... Respondent/Complainant

For Petitioner : Mr.K.Sivabalan, Advocate
for Ms Aran Legal Consultancy,
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.119 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioner/ A2 who apprehends arrest at the hands of the respondent police



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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.119 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused had illegally transported three units of pond 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 Judicial Magistrate Court, Ponnamaravathi, Pudukkottai District, 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



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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 petitioner is directed to deposit a sum of Rs.2,000/- (Rupees Two 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

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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 JUDICIAL MAGISTRATE
PONNAMARAVATHI, PUDUKKOTTAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE,
KARAIYUR POLICE STATION,
PUDUKKOTTAI 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.SIVABALAN, Advocate (SR-12268[I] dated 04/10/2024)



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ORDER
IN
CRL OP(MD) No.16986 of 2024
Date :04/10/2024

SA/JGB/SAR. /17.10.2024/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.