



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 15/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17072 of 2024

1. Manikandan

2. Rajaram

... Petitioners 1 & 2/ Accused No.2 & 4

Vs

The State of Tamil Nadu,  
Rep By, The Inspector of Police,  
Kulithalai Police Station,  
Karur District.

Cr.No.598 of 2024.

... Respondent/ Complainant

For Petitioner : Vishnu V.,  
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-33AB. for Anticipatory Bail in Crime No.598 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 303(2) BNS and Section

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



21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.598 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein had illegally transported 1 unit of river sand. Hence, the complaint.

3. Heard both sides.

4. When the matter was taken up for hearing, it is submitted by the learned counsel for the petitioners that the first petitioner herein was already arrested and remanded to judicial custody. Hence, this Criminal Original Petition is dismissed as against the first petitioner.

5. Considering the nature of the allegations against the 2<sup>nd</sup> petitioner and that the 2<sup>nd</sup> petitioner does not have any other antecedents, this Court is inclined to grant anticipatory bail to the 2<sup>nd</sup> petitioner with certain conditions.

6. Accordingly, the 2<sup>nd</sup> petitioner shall pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of PAO, ASI, Hyderabad, (Account No.0606201022184, IFSC Code: CNRB0000606, Canara Bank, Hyderabad ABID Road Main, Post Bag No.4, 4-1-954, ABID Road, Hyderabad 500001) and the said amount shall be used for the purpose of preserving, cleaning and upkeep of the Monuments in and around the Madurai City, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the concerned Court while executing the sureties.



7. On production of such receipt, the 2<sup>nd</sup> 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 of receipt of a copy of this order, before the Judicial Magistrate No.II, Kulithalai on condition that the 2<sup>nd</sup> 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 learned Magistrate concerned and on further conditions that:

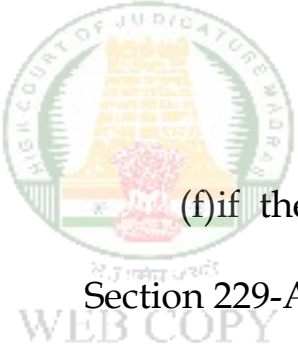
(a) the 2<sup>nd</sup> petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the 2<sup>nd</sup> petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

(c) the 2<sup>nd</sup> petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the 2<sup>nd</sup> 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 petitioners in accordance with law as if the conditions have been imposed and the 2<sup>nd</sup> 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/-  
15/10/2024  
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/ /2024  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TRP

TO

1. The Judicial Magistrate No.II, Kulithalai
2. Do-Through The Chief Judicial Magistrate,  
Karur District.
- 3.PAO,  
ASI,  
Hyderabad.
- 4.The State Rep.by.  
The Inspector of Police,  
Kulithalai Police Station,  
Karur District.
5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

CRL OP(MD) No.17072 of 2024  
Date :15/10/2024

KVL/14.11.2024 4P/6C

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