



CRL OP(MD). No.17410 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17410 of 2024

Chellapandi,

... Petitioner/ Accused No.2

Vs

State of Tamilnadu,
Through the Sub Inspector of Police,
Kallal Police Station,
Sivagangai District
(Crime No. 159 of 2024).

... Respondent/Complainant

For Petitioner : M/s.A.Balaji,
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. 159 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

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



CRL OP(MD). No.17410 of 2024

police for the offences punishable under Section 303(2) of BNS, 2023 and Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime.No.159 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein and other accused had illegally transported 3 units of river sand. 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. Considering the facts and circumstances of the case and also considering the fact that the petitioner is ready and willing to deposit a sum of Rs.15,000/-, 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 on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Karaikudi, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees



CRL OP(MD). No.17410 of 2024

WEB COPY

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) As per undertaken, the petitioner is directed to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to 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 rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(c) the 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;

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



CRL OP(MD). No.17410 of 2024

WEB COPY

(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]*; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
14/10/2024

/ TRUE COPY /

/10/2024

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

TRP

TO

1 THE JUDICIAL MAGISTRATE,
KARAIKUDI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE SUB INSPECTOR OF POLICE,
KALLAL POLICE STATION, SIVAGANGAI DISTRICT



CRL OP(MD). No.17410 of 2024

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.A.BALAJI, Advocate (SR-12469[I] dated 16/10/2024)

ORDER
IN
CRL OP(MD) No.17410 of 2024
Date :14/10/2024

SS/MMS/SAR- /22/10/2024/ 5P/7C

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