



CRL OP(MD). No.18065 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 21/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18065 of 2024

1.Karuppusamy

2.Siva

... Petitioners/ Accused No.2 & 3

Vs

The State of Tamilnadu,,
Rep by the Inspector of Police,
B1 Police Station,
Melur Taluk,
Madurai District
(Crime No.495 of 2024)

... Respondent/Complainant

For Petitioners : Mr.R.Boopathi, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of Bharathiya Nagarik
Suraksha Sanhita (BNSS), 2023.

PRAYER :-

For Anticipatory Bail in Crime No.495 of 2024 on the file of the Respondent Police.



CRL OP(MD). No.18065 of 2024

ORDER: The Court made the following order :-

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The petitioners/accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 303(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 read with Section 21(5) of the Mines & Minerals (Development and Regulation) Act, 1957 in Crime No.495 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioners herein and other accused had illegally transported 3 units of gravel sand. Hence, the complaint.

3. Heard the learned counsel for the petitioners 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 petitioners are ready and willing to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) each, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of 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, Melur, Madurai District on condition that the petitioners 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



CRL OP(MD). No.18065 of 2024

WEB COPY

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 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) As per undertaken, the petitioners shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) each 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], without prejudice to their rights and contentions before the trial Court;

(c) the petitioners 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 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



CRL OP(MD). No.18065 of 2024

WEB COPY

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/-
21/10/2024

/ TRUE COPY /

/11/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN

To

- 1.The Judicial Magistrate,
Melur, Madurai District.
- 2.Do through the Chief Judicial Magistrate,
Madurai District.
- 3.The Inspector of Police,
B1 Police Station,
Melur Taluk,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai bench of Madras High Court, Madurai.



CRL OP(MD). No.18065 of 2024

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The Officer Incharge,
PAO, ASI,
Hyderabad.

ORDER

IN

CRL OP(MD) No.18065 of 2024

Date :21/10/2024

ED/ SSN /SAR- (12/11/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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