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

Date : 29/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY
CRL OP(MD). No.18744 of 2024

1. Siva

2. Ramakrishnan

3. Vengadasalam

4. Pradhap

5. Padmanathan

6. Saravanan

... Petitioners/ Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Vattathikottai Town Police Station,
Thanjavur District.

Cr.No.315/2024.

... Respondent/ Complainant

For Petitioner : Mr.S.Deenadhayan,
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 Cr.No.315 of 2024 on the file of the respondent police.



ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 303(3) of BNS r/w Section 21(1) of the Tamil Nadu Mines and Minerals (Development and Regulations) Act, 1957 in Crime No.315 of 2024, on the file of the respondent police, seek anticipatory bail.

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

3.Heard. Perused the materials available on record.

4.Considering the nature of the allegations, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, the petitioners shall pay a sum of **Rs.4,000/- (Rupees Four 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) for the purpose of preserving, cleaning and upkeep of the Monuments in and around the Madurai City, without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate Court, Pattukkottai, Thanjavur District.



6. On production of such receipt, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Pattukkottai, Thanjavur District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum 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) 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;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners 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;

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

sd/-
29/10/2024
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/ /2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1. The Judicial Magistrate Court,
Pattukkottai, Thanjavur District.
2. Do-Through The Chief Judicial Magistrate,
Thanjore District.
- 3.PAO,
ASI,
Hyderabad.
4. The Inspector of Police,
Vattathikottai Town Police Station,
Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-13421[I] dated 30/10/2024)
CRL OP(MD) No.18744 of 2024
Date :29/10/2024

KVL/18.11.2024 4P/7C

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