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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.18868 of 2024

1. Karthick

2. Thiagarajan

... Petitioners/2nd & 3rd Accused

Vs

The State of Tamil Nadu,
Rep By,
The Inspector of Police,
Thuvarankuruchi Police Station,
Trichy District.
Cr.No.235/2024.

... Respondent/Complainant

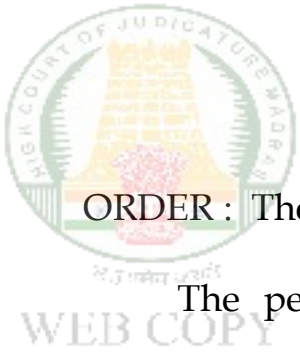
For Petitioner : Mr.R.Manickam,
Advocate.

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.235/2024 on the file of the respondent police.



ORDER : The Court made the following order :-

The petitioners/A2 and A3, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 303(2) of BNS Act, 2023 and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.235 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein had illegally transported one unit of savudu 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.3,000/- (Rupees Three 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) 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, Manaparai, Trichy 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, Manaparai, Trichy 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 petitioner 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

29/10/2024

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/11/2024

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

TO

1 THE JUDICIAL MAGISTRATE, MANAPARAI
TRICHY.

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

3 THE INSPECTOR OF POLICE,
THUVARANKURUCHI POLICE STATION,
TRICHY DISTRICT.

4 THE PAO,
ASI, HYDERABAD

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



+1. CC to R.MANICKAM Advocate SR.No.13545

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ORDER
IN
CRL OP(MD) No.18868 of 2024
Date :29/10/2024

MGJ(23.11.2024) 5P 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023