



CRL OP(MD). No.19012 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Selvaraj, ... Petitioner/ Accused(Rank Not Known)

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thanjavur Town West Police Station,
Thanjavur District.
Crime No.713 of 2024..

... Respondent/ Complainant

For Petitioner : Mr.C.Senthil Murugan,
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.713 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 police for the alleged offences under Sections 303(2) of BNS 2023 r/w

Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 in
<https://www.mhc.tn.gov.in/judis>



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Crime No.713 of 2024 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner had transported $\frac{1}{4}$ unit of river sand in a bullock cart without any valid license.

3. The learned counsel appearing for the petitioner submitted that the petitioner has nothing to do with the alleged offence and hence, he prayed for anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police submitted that the bullock cart has been seized from the petitioner and the river sand has also been seized by the respondent Police.

5. Taking into consideration the facts and circumstances of the case and also of the fact that there are no previous cases against the petitioner and the vehicle has been seized by the respondent Police and the river sand has also been seized, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory 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 No.I, Thanjavur, on condition that the 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



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the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Madurai Bench of Madras High Court Advocate Clerk's Welfare Association, Madurai-625023 (Account No:- 496039124, IFSC Code:-IDIB000H040), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate No.I, Thanjavur.

[c]. the petitioner shall report before the respondent police on every Friday at 06.30 p.m. for a period of six weeks and thereafter, as and when required for interrogation;

[d]the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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



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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/-
05/11/2024

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

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TO

1. The Judicial Magistrate No.I,
Thanjavur.
2. Do through
The Chief Judicial Magistrate,
Thanjavur.
3. The Officer In Charge,
Advocate Clerk's Werlfare Association,
Madurai Bench of Madras High Court,
Madurai.
4. The Inspector of Police,
Thanjavur Town West Police Station,
Thanjavur District.
Crime No.713 of 2024..



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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.19012 of 2024
Date : 05/11/2024

SL(25.11.2024)/ 5P/ 6C

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