



CRL OP(MD). No.19285 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19285 of 2024

M.Arul

... Petitioner/Petitioner/Sole Accused

Vs

The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.

Crime No. 314/2024

... Respondent/Respondent/Complainant

For Petitioner : Mr.K.Ajith Kumar, Advocate
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 314 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 22.10.2024 for the offences under Section 303(2) of BNS Act and Section 21(1) of Mines and Mineral (Development and Regulation) Act, 1957 in Crime No.314 of 2024 on the file of the respondent police, seeks bail.

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



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has nothing to do with the alleged offence and hence, he prayed for bail.

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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 and the petitioner has suffered incarceration from 22.10.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the criminal original petition is ordered and the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukottai, and on further conditions that:-

[a] 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 petitioner shall pay a sum of Rs.3,500/- (Rupees Three Thousand Five Hundred only) to the credit of the Madurai Bench of Madras High Court Advocate Clerk's Welfare Association, Madurai-625023 (Account No:- 496039124, IFSC Code:-



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IDIB000H040), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate, Pattukottai.

[c] the petitioner shall report before the respondent police daily at 05.30 p.m., until further orders;

[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 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];

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
08/11/2024

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08/11/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE JUDICIAL MAGISTRATE, PATTUKOTTAI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE, DISTRICT JAIL, THANJAVUR.

4 THE INSPECTOR OF POLICE, VATTATHIKOTTAI POLICE STATION,
THANJAVUR DISTRICT.

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

COPY TO

THE OFFICER INCHARGE
ADVOCATE CLERKS WELFARE ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.AJITH KUMAR, Advocate (SR-13745[I] dated 08/11/2024)

ORDER
IN

CRL OP(MD) No.19285 of 2024

Date :08/11/2024

RS//SAR-(08.11.2024) 4P 8C

Madurai Bench of Madras High Court is issuing
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