



CRL OP(MD). No.19555 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 13/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Saravana Kumar

... Petitioner/Sole Accused

Vs

The Inspector of Police,  
Thirukattupalli Police Station,  
Thanjavur District.  
Crime No. 514 of 2024

... Respondent/Complainant

For Petitioner : M/s.Dhilipan Pandian.R.L, Advocate  
For Respondent : Mr.B.Thanga Aravindh,  
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.514 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 303(2) of BNS Act r/w 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.514 of 2024 on the file



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of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner was found in possession of 3 bags of river sand, totally 90 kgs in a two wheeler. On seeing the police, the petitioner fled away from the scene of occurrence.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police submitted that the vehicle 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 the petitioner is having no previous cases 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 with certain conditions.

6. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Thiruvaiyaru, 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 the satisfaction of the respondent police or the police



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officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

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

[b] the petitioner 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.

[c] the petitioner shall report before the respondent police 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 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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[g] if the accused thereafter absconds, a fresh FIR can be registered under  
Section 229-A IPC.

sd/-  
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/11/2024

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

PNM

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUVAIYARU.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE, THIRUKATTUPALLI POLICE STATION,  
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate ( SR-13987[I] dated 14/11/2024 )

ORDER IN

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Date :13/11/2024

RS//SAR-(25.11.2024) 4P 6C

Madurai Bench of Madras High Court is issuing  
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