



CRL OP(MD). No.19905 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19905 of 2024

Muniyandi

... Petitioner / Accused
Rank Not Known

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Seithur Police Station,
Virudhunagar District.
(Crime No.183 of 2023)

... Respondent/Complainant

For Petitioner : Mr.D.Rajaboopathy,
Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :- For Anticipatory Bail in Crime No.183/2023 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



CRL OP(MD). No.19905 of 2024

the alleged offences under Sections 379 of IPC and 21(4) of the Mines and Minerals (Development and Regulations) Act, 1957, in Crime No.183 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had illegally transported three units of Savudu sand in tractor. Hence, the case.

3. Heard the learned counsel on either side and perused the material records of the case.

4. The learned Government Advocate (Criminal Side) submitted that there are totally 3 accused persons in this case the the petitioner has been arrayed as A3 and the 4 previous cases pending against the petitioner.

5. Considering the nature of the allegations and considering the fact that the other accused already granted anticipatory bail in Crl.OP(MD). No. 19824 of 2024 dated 15.11.2024 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, Rajapalayam, Viruthunagar District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



CRL OP(MD). No.19905 of 2024

only) with two sureties each for a like sum to the satisfaction of the respondent police or the police 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] 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.

[b] the petitioner is directed to deposit a sum of Rs.3,500/- (Rupees Three Thousand and Five Hundred only) to the credit of Madras High Court Madurai Bench, Advocate Clerk's Welfare Association, Madurai-625 023 (Indian Bank Saving Account No. 496039124, IFSC Code: IDIB000H040), without prejudice to his rights and contentions before the trial Court. Only upon deposit, the learned Magistrate shall accept the sureties;

[c] the petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of two 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



CRL OP(MD). No.19905 of 2024

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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 269 of BNS, 2023.

sd/-
18/11/2024

/ TRUE COPY /

/11/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL
TO

1 THE JUDICIAL MAGISTRATE,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
SEITHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-14157[I] dated 18/11/2024)



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CRL OP(MD). No.19905 of 2024

ORDER
IN
CRL OP(MD) No.19905 of 2024
Date :18/11/2024

SA/SAR. /25.11.2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.