



CRL OP(MD). No.20040 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.A.Shrinath

2.Muthuvel

3.Kalidosan

... Petitioners / Accused
Rank Not Known

Vs

The State of Tamil Nadu
Represented by the Sub-Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
(Crime No.251 of 2024)

... Respondent/Complainant

For Petitioners: Mr.R.Venkatesan, Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 251 of 2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 303(2) of BNS r/w. Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.251 of 2024 on the file of the respondent police, seek anticipatory bail.

2. It is brought to the notice of this Court that the 2nd petitioner, who is A3, has been arrested by the respondent police. In view of the same this petition is closed insofar as the 2nd petitioner is concerned. This petition is entertained only for the 1st petitioner (A1) and the 3rd petitioner (A2).

3. The case of the prosecution is that the accused persons were found in illegal possession of 1 unit of kanmai sand worth about Rs.10,000/-.

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

5. The learned Government Advocate (Criminal Side), on instructions, submitted that there are no previous cases against A1 and A2.

6. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the 1st petitioner (A1) and the 3rd petitioner (A2) with certain conditions.:

7. Accordingly, the 1st petitioner (A1) and the 3rd petitioner (A2) are ordered to



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be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Devakottai, 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 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 1st petitioner (A1) and the 3rd petitioner (A2) 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 1st petitioner (A1) and the 3rd petitioner (A2) are directed to deposit a sum of Rs.1,000/- (Rupees One Thousand only) each to the credit of the M/s Tirunelveli Advocates Clerks Association, Indian Overseas Bank, Branch: District Court, Tirunelveli (Account No:-176601000003648, IFSC Code:-IOBA0001766, without prejudice to their rights and contentions before the trial Court. Only upon deposit, the learned Magistrate shall accept the sureties;

[c] the 1st petitioner (A1) and the 3rd petitioner (A2) shall appear before the respondent Police as and when required for interrogation.



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[d] the 1st petitioner (A1) and the 3rd petitioner (A2) shall not tamper with evidence or witness either during investigation or trial.

[e] the 1st petitioner (A1) and the 3rd petitioner (A2) 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 petitioners 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
22/11/2024

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/ 12 / 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
DEVAKOTTAI.



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2 DO-THROUGH

THE CHIEF JUDICIAL MAGISTRATE, SIVGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,

DEVAKOTTAI TALUK POLICE STATION, SIVAGANGAI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE OFFICER INCHARGE

M/S TIRUNELVELI ADVOCATES CLERKS ASSOCIATION,
TIRUNELVELI.

+1 CC to M/s.M/S.RIGHT LAW ASSOCIATES, Advocate (SR-14423[I] dated
22/11/2024)

ORDER

IN

CRL OP(MD) No.20040 of 2024

Date :22/11/2024

PSP/ GSV /SAR /05.12.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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