



CRL OP(MD). No.20114 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20114 of 2024

P Ramalingam,

... Petitioner/ Accused Rank not known

Vs

The State of Tamilnadu,
Rep.By,
The Inspector of Police,
Vengamedu Police Station,
Karur District.
(Crime No.133 of 2024).

... Respondent/Complainant

For Petitioner : Mr.Nagendra Prasath,
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.133 of 2024 on the file of the respondent police



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ORDER : The Court made the following order :-

The petitioner / accused, who apprehends arrest at the hands of the respondent Police for the offence under Section 379 IPC r/w Section 21 (1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.133 of 2024 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had illegally transported 10 units of river sand in his tipper lorry without any valid license.

3. Heard the learned counsel on either side and perused the materials available on records.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police submitted that the petitioner has transported totally 10 units of river sand, out of which, six units were recovered from the lorry owned by the petitioner herein. He further submitted that there is one previous case pending against the petitioner.



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5. Considering the nature of allegations, 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, Karur, 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 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 report before the respondent police as and when required for interrogation;

[c] the petitioner is directed to deposit a sum of Rs.45,000/- (Rupees Forty Five Thousand only) to the credit of the M/s. Tirunelveli Advocates Clerks Association (Account Number : 176601000003648, IFSC : IOBA0001766, Bank : District Court, Tirunelveli, Branch : District Court, Tirunelveli), without prejudice to his rights and



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contentions before the trial Court. Only upon deposit, the learned Judicial

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Magistrate shall accept the sureties;

[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;

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

sd/-

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

TSG



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TO
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- 1 THE JUDICIAL MAGISTRATE NO.I
KARUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.
- 3 THE INSPECTOR OF POLICE,
VENGAMEDU POLICE STATION, KARUR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE OFFICER INCHARGE,
TIRUNELVELI ADVOCATES CLERKS ASSOCIATION,
TIRUNELVELI.

+1 CC to M/s.NAGENDRA PRASATH, Advocate (SR-14288[I] dated 20/11/2024)

ORDER
IN
CRL OP(MD) No.20114 of 2024
Date :20/11/2024

SS/VR/SAR- /29/11/2024/ 5P/7C

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