



CRL OP(MD). No.20197 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20197 of 2024

Duraisingam

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Sattur Taluk Police Station,
Virudhunagar District.
(Crime No. 194 of 2024).

... Respondent/Complainant

For Petitioner : Mr.M Prabu,

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.194 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 Section 303(2) BNS Act, (379 of IPC) and Section 21(1)

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of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.194 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons were found in illegal possession of 3 units of limestone. On seeing the police, they fled the scene.

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

4. The learned Government Advocate (Criminal Side), on instructions, submitted that A4 has one previous case and others do not have any previous cases against them.

5. Taking into consideration the facts and circumstances of the case and also the fact that the entire materials have been seized along with the vehicle and considering the fact that the petitioner do not have any bad antecedent, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in

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the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.II, Sattur, Virudhunagar, 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] 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 shall report before the respondent police as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;

[e] on breach of any of the aforesaid conditions, the learned Magistrate/ Trial



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

sd/-
21/11/2024

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

LR

TO

1. The Judicial Magistrate No.II,
Sattur, Virudhunagar District.

2. Do through
The Chief Judicial Magistrate,
Virudhunagar

3. The Inspector of Police,
Sattur Taluk Police Station,
Virudhunagar District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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ORDER
IN
CRL OP(MD) No.20197 of 2024
Date : 21/11/2024

SL(23.11.2024)/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.