



CRL OP(MD). No.20358 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.Panneerselvam

2.V.Sathivel

... Petitioner / Accused No.2 & 3

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Thogamalai Police Station,
Karur District.
(Crime No.459 of 2024)

... Respondent/Complainant

For Petitioners: Mr.A.Thiyagarajan,
Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 459 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), 62 of BNS r/w. Section 21(1) of Mines and Minerals (Development Regulations) Act, 1957, in Crime No.459 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the VAO along with other officers inspected the property and found that the accused persons had illegally taken red sand. There are totally 14 accused persons in this case and the petitioners have been arrayed as A2 and A3.

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

4. Taking into consideration the facts and circumstances of the case and also considering the fact that independent proceedings have already been initiated by the RDO, Kulithalai dated 23.08.2024 imposing payment of penalty on the accused persons and also considering the fact that this Court has granted anticipatory bail to A4 and A6 to A8 in Crl.OP(MD).Nos.20004 and 20033 of 2024 respectively, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioner are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which



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the order copy made ready, before the learned Judicial Magistrate Court-I, Kulithalai, 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 petitioners 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 petitioners shall appear before the respondent Police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 269 of BNS, 2023.

sd/-

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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
NO.I, KULITHALAI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

3 THE INSPECTOR OF POLICE,
THOGAMALAI POLICE STATION,
KARUR DISTRICT.

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

ORDER

IN

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Date :22/11/2024



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PSP/ VR /SAR /04.12.2024/ 5P/ 5C

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