



CRL OP(MD). No.20998 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20998 of 2024

Naveen

... Petitioner/ Accused 4

Vs

The State of Tamil Nadu,
Rep. by the Sub Inspector of Police,
M. Kalluppatti Police Station,
Madurai,
(Crime No. 126/2024).

... Respondent/ Complainant

For Petitioner : M/s. Satheshkumar. B,

For Respondent : Mr.S.Ravi
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime no.126 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A4, who was arrested and remanded to judicial custody

on 12.11.2024 for the offences under Sections 303(2) BNS Act r/w 21(V) of Mines and

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.20998 of 2024

Minerals (Development & Regulation) Act, 1957 in Crime No.126 of 2024 on the file of
WEB COPY
the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons were found in possession of 1 unit of odai sand. There are 4 accused persons in this case and the petitioner is A4, who is a loadman.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. Taking into consideration the facts and circumstances of the case and considering the fact that A1 to A3 have been granted anticipatory bail in CrI.O.P(MD) No.19883 of 2024, by order dated 18.11.2024 and also taking note of the fact that there is one previous case pending against the petitioner and considering the fact that the petitioner has suffered incarceration from 12.11.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.

5. Accordingly, the criminal original petition is ordered and the petitioner is ordered to be released on bail on executing 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 learned Judicial Magistrate No.II, Usilampatti, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb

Impression in the surety bond and the Magistrate may obtain a copy of



CRL OP(MD). No.20998 of 2024

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 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];

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

sd/-
29/11/2024

/ TRUE COPY /

29/11/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.20998 of 2024

PNM

TO

1 THE JUDICIAL MAGISTRATE NO.II,
USILAMPATTI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE OFFICER INCHARGE,
USILAMPATTI SUB JAIL, MADURAI DISTRICT.

4 THE SUB INSPECTOR OF POLICE,
M. KALLUPPATTI POLICE STATION, MADURAI.

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

+1 CC to M/s.R.SELVAM, Advocate (SR-14736[I] dated 29/11/2024)

ORDER IN
CRL OP(MD) No.20998 of 2024
Date :29/11/2024

SA/SAR. /29.11.2024/4P/C

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