



CRL OP(MD). No.21295 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.21295 of 2024

1.Kanagaraj

2.Nadarajan @ Natarajan

... Petitioners / A1 & A2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Manapparai Police Station,
Trichy District.
(Crime No.562 of 2024)

... Respondent / Complainant

For Petitioners : Mr.M.Suresh,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.



CRL OP(MD). No.21295 of 2024

PRAYER :-
WEB COPY

For Anticipatory Bail in Crime No.562 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 336(2), 336(3), 303(2) and 340(2) of BNS r/w. Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.562 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners had illegally transported 5 units of M-sand in a tipper lorry with forged transit pass. Hence, the case.

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 there are two previous cases as against the 1st petitioner/A1 and there are no previous cases as against the 2nd petitioner/A2.



CRL OP(MD). No.21295 of 2024

WEB COPY

5. Taking into consideration the facts and circumstances of the case, and also considering the quantity of minerals involved, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6. Accordingly, the petitioners 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 the order copy made ready, before the learned Judicial Magistrate, Manapparai, Trichy District, on condition that the petitioners 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 deposit a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred only) each to the credit of the M/s.Tirunelveli Advocates Clerks Association, Indian Overseas Bank, Branch:District Court, Tirunelveli (Account No:-



CRL OP(MD). No.21295 of 2024

176601000003648, IFSC Code:-IOBA0001766, without prejudice to his rights and contentions before the trial Court. Only upon deposit, the learned Magistrate shall accept the sureties;

[c] the 1st petitioner/A1 shall appear before the respondent police on every friday at 05.30 p.m. for a period of six weeks and thereafter, as and when required for interrogation, and the 2nd petitioner/A2 shall appear before the respondent police as and when required for the interrogation.

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

[e] the petitioners 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].



CRL OP(MD). No.21295 of 2024

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

sd/-
05/12/2024

/ TRUE COPY /

/12/2024

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

mkn

TO

1. THE JUDICIAL MAGISTRATE, MANAPPARAI, TRICHY DISTRICT,
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
3. THE INSPECTOR OF POLICE,
MANAPPARAI POLICE STATION,
TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO

THE OFFICER IN CHARGE,
TIRUNELVELI ADVOCATES CLERKS ASSOCIATION,
DISTRICT COURT, TIRUNELVELI



WEB COPY



CRL OP(MD). No.21295 of 2024

ORDER
IN
CRL OP(MD) No.21295 of 2024
Date :05/12/2024

RK/VR (11/12/2024) 6P / 6C

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