



CRL OP(MD). No.22085 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.22085 of 2024

K.Uthirapathi

... Petitioner / Accused No.4

Vs

The State of Tamil Nadu

Represented by the Inspector of Police,

Thanjavur Police Station and

CSCID – Madurai District.

(Crime No.204 of 2024)

... Respondent/Complainant

For Petitioner : Mr.P.R.Boome Rajan,
Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 204 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 Sections 303(2) of BNS, 2023 and Section 6(4) of TNSC (RDCS) Order 1982 r/w. 7(1)(a)(ii) of EC Act, 1955, in Crime No.204 of 2024 on the file of the respondent police, seeks anticipatory bail.



CRL OP(MD). No.22085 of 2024

WEB COPY

2. The case of the prosecution is that the accused persons are said to have transported huge quantities of PDS rice and other ration shop items in a vehicle. The same was intercepted and the property was seized and A1 to A4, A6 and A7 were arrested. The petitioner has been arrayed as A5 and he is said to be the load man.

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 considering the fact that the entire property has been seized and this petitioner is said to be a load man and there are no previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court No.II, Thanjavur, 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 petitioner and the sureties shall affix their photographs and Left Thumb



CRL OP(MD). No.22085 of 2024

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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 on every Monday and Friday at 05.30 p.m. for a period of 6 weeks and thereafter, as and when required.

[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, 2023.

sd/-
13/12/2024

/ TRUE COPY /

/ 12 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.22085 of 2024

TO

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1 THE JUDICIAL MAGISTRATE
NO.II, THANJAVUR DISTRICT.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
THANJAVUR POLICE STATION
AND CSCID - MADURAI DISTRICT.

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

+1 CC to M/s.PR BOOMEE RAJAN, Advocate (SR-15449[I] dated 16/12/2024)

ORDER
IN

CRL OP(MD) No.22085 of 2024
Date :13/12/2024

PSP/ SKN /SAR /20.12.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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