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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 18/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). Nos.22306 & 22329 of 2024

Sakthivel

... Petitioner/ Accused rank not known  
in Crl.O.P.(MD).No.22306 of 2024

1.Soundararajan,

2.Velmurugan,

... Petitioners/ Accused  
in Crl.O.P. (MD).No.22329 of 2024

Vs

The State of Tamil Nadu,  
Rep.By, the Sub-Inspector of Police,  
Puliyangudi Police Station,  
Tenkasi District.  
(In Crime No.488 of 2024).

... Respondent/ Complainant  
in both petitions

For Petitioner : Mr.S.M.A.Jinnah,  
Advocate.  
In Crl.O.P.(MD).No.22306 of 2024

For Petitioners : Mr.P.Manish,  
Advocate.  
In Crl.O.P.(MD).No.22329 of 2024

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



## WEB COPY PETITIONS FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

### COMMON PRAYER :-

For Anticipatory Bails in Crime No.488 of 2024 on the file of the Respondent Police.

COMMON ORDER : The Court made the following common order :-

The petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under section 303 (2) of BNS, 2023 in Crime No.488 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner had illegally transported  $\frac{1}{4}$  unit of pond sand in a tractor. There are totally 12 accused persons in this case and the petitioners have been arrayed as accused Nos.1, 2 and 3.

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

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police on instructions submitted that there are no previous cases against the petitioners.



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5. Considering the nature of the allegations, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6. Accordingly, the petitioners are ordered to be released on anticipatory 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 District Munsif cum Judicial Magistrate, Sivagiri, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 are directed to deposit a sum of Rs.1000/- (Rupees One Thousand only) each to the credit of Madras High Court Madurai Bench, Advocate Clerk's Welfare Association, Madurai-625 023 (Indian Bank Saving Account No.496039124, IFSC Code: IDIB000H040), without prejudice to their rights and



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contentions before the trial Court. Only upon deposit, the learned Magistrate shall accept the sureties;

[c] the petitioners shall report before the respondent Police as and when required for 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].

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

sd/-  
18/12/2024

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/01/2025  
Sub-Assistant Registrar (C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TSG



TO  
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- 1 THE DISTRICT MUNSIF CUM  
JUDICIAL MAGISTRATE, SIVAGIRI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TENKASI DISTRICT.
- 3 THE SUB-INSPECTOR OF POLICE,  
PULIYANGUDI POLICE STATION,  
TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE,  
ADVOCATE CLERKS WELFARE ASSOCIATION,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD). Nos.22306 & 22329 of 2024  
Date :18/12/2024

SS/SKN/SAR- /07/01/2025/ 5P/6C

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