



CRL OP(MD). No.22492 of 2024

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

Date : 19/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH
CRL OP(MD). No.22492 of 2024

M.Renganathan

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
Cr.No.705 of 2024.

... Respondent/Complainant

For Petitioner : Mr.A.Balakrishnan, Advocate.
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.705 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, who apprehends arrest at the hands of the respondent police for the offences punishable under section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957 and Sections 303(2) and 318(4) of BNS in Crime No.705 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported three units of gravel sand in a tipper lorry. There are three accused persons in this case and



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the petitioner has been arrayed as Accused No.2.

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3.The learned Government Advocate (Criminal Side) appearing for the respondent Police submitted that there are no previous cases against the petitioner.

4.Taking into consideration the facts and circumstances of the case and considering the fact that there were no previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

5.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Tirunelveli, 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner is directed to deposit a sum of Rs.2,500/- (Rupees Two Thousand and Five Hundred only) to the credit of the Madras High Court, Madurai Bench, Advocate Clerk's Welfare Association, Madurai-625 023 (Indian Bank Saving



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Account No.496039124, IFSC CODE:IDIB000H040), without prejudice to his rights and contentions before the trial Court. Only upon deposit, the learned Judicial Magistrate shall accept the sureties.

[c].The petitioner shall appear before the respondent Police as and when required for interrogation;

[d]the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e]the petitioner 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 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]; and;

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

sd/-
19/12/2024

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



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TO

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1 THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI 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) No.22492 of 2024

Date :19/12/2024

RS/SKN/SAR-(06.01.2025) 4P 6C

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