



CRL OP(MD). No.22540 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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A.Bairamkhan

... Petitioner / A14

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Kulathur Police Station,
Thoothukudi District.
(Crime No.310 of 2024)

... Respondent/Complainant

For Petitioner : Mr.M.S.Mahesh Jeyakarthick,
Advocate
for M/s.Arulselvam Associates

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 310 of 2024 on the file of the respondent police.



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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 132, 351(3) of BNS, 2023 and Sections 12, 19(c)(i), 19(c)(ii), 19(c)(iii) of Fertilizer Control Order and Sections 3, 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.310 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on a secret information, a vehicle was intercepted on 19.11.2024 at about 10.00 a.m. On inspection, it was found that the vehicle was illegally carrying Government fertilizers to the tune of 17 1/2 tonnes. Apart from that, BD leaves (40 bundles) was also carried in the vehicle. There are totally 18 accused persons in this case and the petitioner has been arrayed as Accused No.14.

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 also



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considering the earlier order passed by this Court in Crl.O.P.(MD) Nos.21274 and 21377 of 2024 dated 09.12.2024, where A10 and A18 were granted anticipatory by this Court, 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, Vilathikulam, 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 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 as and when required for interrogation.



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[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/-
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.

PKN



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TO
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- 1 THE JUDICIAL MAGISTRATE,
VILATHIKULAM.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KULATHUR POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M/S.ARUL SELVAM ASSOCIATES, Advocate (SR-15691[I] dated 19/12/2024)

ORDER
IN
CRL OP(MD) No.22540 of 2024
Date :19/12/2024

SS/SKN/SAR- /03/01/2025/ 5P/6C

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