



CRL OP(MD). No.22912 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/12/2024

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.22912 of 2024

Ramesh @ Ramesh Kumar

... Petitioner /Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Karambakudi Police Station,
Karambakudi,
Pudukkottai District.
Crime No.309 of 2024..

... Respondent/Complainant

For Petitioner :Mr. K.C.Maniyarasu,
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.309 of 2024 on the file of the Respondent Police.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.22912 of 2024

ORDER : The Court made the following order :-

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The petitioner/accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 303 of Bharatiya Nyaya Sanhita, 2023 and 21(1) of Mines & Minerals (Development & Regulation) Act, 1957 in Crime No.309 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 11.12.2024, at around 06.00 a.m., the petitioner has illegally transported 1 unit river sand by using Bolero Pickup vehicle bearing Registration No.TN 55 U 1581 without any valid permit. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is the owner of the vehicle and that the petitioner is innocent and he has been falsely implicated in this case. Hence, he prayed to grant anticipatory to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner has illegally transported 1 unit river sand by using Bolero Pickup vehicle bearing Registration No.TN 55 U 1581 without any valid permit. He would further submit that the petitioner has three previous cases, out of



CRL OP(MD). No.22912 of 2024

which, two cases are similar in nature. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. Heard. Perused the materials available on record including the First Information Report.

6. Considering the rival submissions on either side, considering the nature of offences and the quantity of material involved in this case and the petitioner has three previous cases, in all cases, bail was granted and all the cases are not similar kind of offences, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions:-

7. 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 Judicial Magistrate Court, Karambakudi 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the Keeranur Police Station, Pudukkottai



CRL OP(MD). No.22912 of 2024

District daily at 10.30 a.m., for a period of 30 days.

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[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[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 abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

sd/-
27/12/2024

/ TRUE COPY /

/01/2025

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

rmi

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CRL OP(MD). No.22912 of 2024

TO
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1. THE JUDICIAL MAGISTRATE, KARAMBAKUDI
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.
 3. THE INSPECTOR OF POLICE,
KARAMBAKUDI POLICE STATION,
KARAMBAKUDI,
PUDUKKOTTAI DISTRICT.
 4. THE INSPECTOR OF POLICE,
KEERANUR POLICE STATION,
PUDUKKOTTAI DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.K.C.MANIYARASU, Advocate (SR-15906[I] dated 27/12/2024)

ORDER
IN
CRL OP(MD) No.22912 of 2024
Date :27/12/2024

RK/SKN(31/12/2024) 5P / 7C

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