



CRL OP(MD). No.22956 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/12/2024

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Murugan

... Petitioner/Rank not known

Vs.

The State of Tamilnadu,
Rep. by the Inspector of Police,
Thattaparai Police Station,
Thoothukudi District.
Crime No. 63/2024

... Respondent/Complainant

For Petitioner : Mr.S.Vishnuvardhan, Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 63 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/rank not known, who apprehends arrest at the hands of the respondent for the offences punishable under sections 303(2) and 62 of BNS Act, 2023



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in Crime No.63 of 2024 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the accused illegally transported 1 unit of saral sand in Lorries. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was falsely implicated in this case. He has not committed any offence as alleged by the prosecution. The complaint was lodged in a malafide manner. Hence, prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submits that the accused illegally transported 1 unit of saral sand in six lorries and totally there are 19 accused and the petitioner is arrayed as A15 and some of the accused are absconding and the petitioner is having six previous cases out of which one case is registered for offence under Section 324 IPC. He therefore strongly objected for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.



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6. Considering the rival submissions on either side, considering the nature of offences charged against the petitioner, considering the fact though the petitioner is having six previous cases, all the cases are not similar kind of offences and in all cases bail was granted to the petitioner and co-accused were already arrested and released on bail, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 Judicial Magistrate Court, Ottapidaram, and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.00 a.m for a period of thirty days and thereafter as and when required for interrogation.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during



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investigation or trial.

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[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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.

MKN/CM

TO

1.THE JUDICIAL MAGISTRATE, OTTAPIDARAM,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.

3.THE INSPECTOR OF POLICE,
THATTAPARAI POLICE STATION,
THOOTHUKUDI DISTRICT.



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

ORDER
IN
CRL OP(MD) No.22956 of 2024
Date :27/12/2024

RK/SKN (02/01/2025) 5P / 5C

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