



CRL OP(MD). No.23044 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

CRL OP(MD). No.23044 of 2024

1. Kasi Rajan,

2. Kumarandi,

...Petitioners/ Accused Nos.1 & 2

Vs

The State of Tamil Nadu,
Rep by the Sub Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
Crime No.366/2024.

... Respondent/Complainant

For Petitioners : M/s.M.Jothi Basu,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.366/2024 on the file of the respondent Police.



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ORDER: The Court made the following order :-

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The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent for the offences punishable under section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957 in Crime No.366 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 06.12.2024 at 09.30 a.m. at Madurai - Paramakudi Road, the de-facto complainant, who is working as the Assistant Director, Department of Geography and Mining, Ramanathapuram District, and others had intercepted a vehicle bearing registration No.TN-81-B-3799. When the vehicle was searched, it was found that the petitioners had illegally transported 6 units of M-sand without any license. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons, and they have been falsely implicated in this case. They have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) would submit that the petitioners have been arrayed as A1 and A2 in this case, and they illegally transported 6 units of sand and there are no previous cases as against the petitioners. However, he strongly opposed to grant anticipatory bail to the petitioners.

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



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6. Considering the representations made by the learned counsel on either side, and considering the nature of offences charged against the petitioners, and considering the fact there are no previous cases pending against the petitioners, and also taking note of the quantity involved in this case, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are 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, Paramakudi, Ramanathapuram District.

[b] the petitioners 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 the interrogation.

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

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

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

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



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Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-
27/12/2024

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

CM/MKN

TO

1 THE JUDICIAL MAGISTRATE
PARAMAKUDI,
RAMANATHAPURAM DISTRICT.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE SUB INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-15901[I] dated 27/12/2024)



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ORDER
IN
CRL OP(MD) No.23044 of 2024
Date :27/12/2024

PSP/ SKN /SAR /02.01.2025/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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