



CRL OP(MD). No.23094 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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Murugesan

... Petitioner/Sole Accused

Vs.

The State of Tamilnadu,
Rep by the Inspector of Police,
Valanadu Police Station,
Trichy District.
Crime No.192/2024.

... Respondent/Complainant

For Petitioner : Mr.M. Pitchai Muthu,
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.192/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent for the offences punishable under section 303(2) of BNS Act r/w Section



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21(4) of Mines and Minerals (Development and Regulations) Act, 1957 in Crime

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No.192 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner illegally transported 1/4 units of river sand by using bullock cart. 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 petitioner is no way connected in this case.

4. The learned Government Advocate (Crl. Side) submits that the petitioner illegally transported 1/4 units of river sand by using bullock cart. He further submits that the petitioner is having no previous case. However, he strongly objected for grant of anticipatory bail to the petitioner.

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

6. Considering the rival submissions on either side, considering the nature of



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offences charged against the petitioner, considering the fact the petitioner is having no previous case, 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, Manapparai, Trichy District and on further conditions that:

[b] the petitioner shall report before the Seerkali police station on all Saturdays at 10.00 a.m for a period of four weeks 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 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

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/01/2025

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

MKN/CM

TO

- 1 THE JUDICIAL MAGISTRATE
MANAPPARAI, TRICHY DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT
- 3 THE INSPECTOR OF POLICE,
VALANADU POLICE STATION,
TRICHY DISTRICT.



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

Copy to:
THE INSPECTOR OF POLICE,
SEERKALI POLICE STATION
SEERKALI.

ORDER
IN
CRL OP(MD) No.23094 of 2024
Date :27/12/2024

SS/SKN/SAR- /02/01/2025/ 5P/6C

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