



CRL OP(MD). No.23114 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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Rathinavel,

... Petitioner/1st Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thirukattupalli Police Station,
Thanjavur District
Crime No.550/2024.

... Respondent/Complainant

For Petitioner : Mr.A.Sivasubramanian,
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.550/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A1, who apprehends arrest at the hands of the respondent for the



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offences punishable under section 303(2) of BNS, 2023 read with Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957 in Crime No.550 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 17.12.2024, the respondent police, on suspicion, had intercepted a vehicle. However, the petitioner/A1 and one other accused had managed to escape from the scene. Thereafter, the vehicle was searched, and it was found that the accused had illegally transported 1/4 unit of river sand without any permission or license. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person, and he has been falsely implicated in this case. He has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner had illegally transported 1/4 unit of river sand, and there are no previous cases as against the petitioner. However, he strongly opposed to grant anticipatory bail to the petitioner.

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

6. Considering the representations made by the learned counsel on either side, and considering the nature of offences charged against the petitioner, and considering the fact that there is no previous case as against the petitioner, and also



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taking note of the quantity of material involved in this case, I am inclined to grant

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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 learned Judicial Magistrate, Thiruvaiyar.

[b] the petitioner shall report before the respondent Police on every saturday at 10.00 A.M. for a period of four weeks and thereafter, as and when required for the 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.

[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



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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.

CM/MKN
TO

1 THE JUDICIAL MAGISTRATE,
THIRUVAIYAR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
THIRUKATTUPALLI POLICE STATION,
THANJAVUR DISTRICT

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



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ORDER

IN

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Date :27/12/2024

SA/SKN/SAR. /02.01.2025/5P/5C

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