



Crl.O.P.No.3323 of 2025

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WEB COM **M.NIRMAL KUMAR, J.**

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsel appearing for the petitioner would submit that this Court, by an order dated 13.02.2025, has granted anticipatory bail to the petitioner in Crl.O.P.No.3323 of 2025. However in the order copy (in prayer as well as in paragraph No.1), the crime number and section has been wrongly mentioned as **Crime No.75 of 2023, 379 of BNS** instead of **Crime No.795 of 2023, 379 of I.P.C.** and the same requires to be rectified. Hence, he prayed for suitable directions.

3. Registry is directed to carry out the necessary correction and issue order copy afresh. Further, two weeks time is granted to the petitioner to comply with the conditions.

25.07.2025

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25.07.2025



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13-02-2025**

CORAM
THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3323 of 2025

Muniyan

Petitioner

Vs

The State Rep by,
The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District
(Crime No.75 of 2023)

Respondent

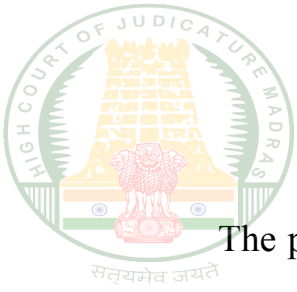
Prayer:

Criminal Original Petition filed under Section 482 of BNS, 2023
pleaded to enlarge the petitioner / Accused on anticipatory bail in the event
of arrest in Crime No.75 of 2023 pending on the file of the respondent
police.

For Petitioner(s): Mr.V.Gunasekar

For Respondent(s): Mr.S.Balaji, Government Advocate (Crl.Side)

ORDER



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The petitioner, who apprehends arrest at the hands of the respondent police

for the offences punishable under Section 379 of BNS, in Crime No.25 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found illegally transporting $\frac{1}{2}$ unit of river sand. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and would abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police re-iterated the prosecution case and on instructions submitted that there are 6 previous case as against the petitioner and hence, opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and also perused the materials



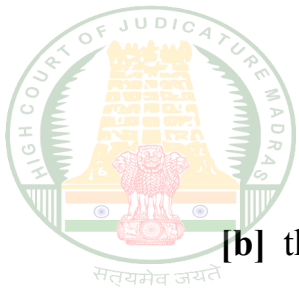
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available on record.

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6. Considering the submissions made by either side and also nature of allegation and taking into consideration the quantity seized, though there are some previous cases as against the petitioner, he was arrested and released on bail in those cases and since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a) 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 of receipt of a copy of this order, before the **Judicial Magistrate Sankarapuram** on condition that the petitioners 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 respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[b] the petitioner shall report before the respondent police every day at 10:30 a.m., until further orders;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

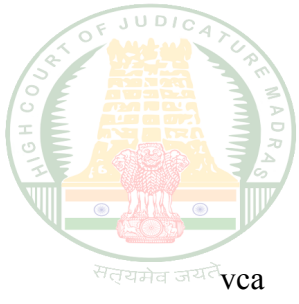
[d] the petitioner shall not abscond either during investigation or trial.

SUNDER MOHAN, J.

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[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 absconds, a fresh FIR can be registered under Section 269 of BNS.



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To

1. The Inspector of Police,
Sankarapuram Police Station, Kallakurichi District
2. The Judicial Magistrate Sankarapuram
3. The Public Prosecutor,
High Court, Madras

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