



CRL OP(MD). No.838 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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V Antony Rathees

... Petitioner/6th Accused

Vs

The State of Tamilnadu,
Rep. by the Sub Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.
Crime No. 363/2024.

... Respondent/Complainant

For Petitioner : Mr.S C.Herold Singh, Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 363 of 2024 on the file of the Respondent police.



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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 303(2) of BNS (hereinafter referred to as new penal code) and 21(1) of Mines and Minerals (Development Regulation) Act, 1957, in Crime No.363 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons had illegally transported 14 units of rough stones in two tipper lorries and 3 tempo vans. The accused persons are the owners of the tipper lorries. Hence, the case.

4. Heard the learned counsel on either side and perused the material records of the case.

4.The learned Government Advocate (Criminal Side), on instructions, submitted that there are totally 6 accused persons in this case and the petitioner has been arrayed as A6. There are no previous case against the petitioner.

5. Considering the nature of the allegations and also taking note of the fact that



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A1 and A2 were already granted anticipatory bail by this Court in Crl.O.P(MD) No.125 of 2025, by an order dated 07.01.2025 and A3 to A5 were also granted anticipatory bail in Crl.O.P(MD)No.276 of 2025, by an order dated 08.01.2025, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this criminal original petition is ordered and 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 on which the order copy made ready, before the learned **Judicial Magistrate, Valliyoor, Tirunelveli District**, on condition that the petitioner 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner is directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand only)** to the credit of the Madurai Bench of Madras High Court Advocate



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IDIB000H040), without prejudice to his rights and contentions before the trial Court.

Only upon deposit, the learned Magistrate shall accept the sureties;

[c] the petitioner shall report before the respondent Police as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-

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Sub-Assistant Registrar (C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.



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TO

- 1 THE JUDICIAL MAGISTRATE
VALLIYOOR, TIRUNELVELI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE,
PAZHAVOOR POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE,
ADVOCATE CLERKS WELFARE ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-690[I] dated 23/01/2025)

ORDER
IN

CRL OP(MD) No.838 of 2025
Date :21/01/2025

SS/SKN/SAR- /03/02/2025/ 5P/7C

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