



CRL OP(MD). No.813 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.813 of 2025

1. Murugaiya

2. Murugesan

3. Murugan

... Petitioners/ Accused rank not known

Vs

State of Tamil Nadu,
The Inspector of Police,
Kayathar Police Station,
Thoothukudi District,
(Crime No.412 of 2024).

... Respondent/Complainant

For Petitioner : Mr.S. Balaji, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-

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For Anticipatory Bail in Crime No.412 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend 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.412 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had illegally transported 3 units of saral sand in two tipper lorries. Hence, the case.

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

4. The learned Government Advocate (Criminal Side) submitted that there are two previous cases against A2.

5. Considering the nature of the allegations, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. Accordingly, this criminal original petition is ordered and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.II, Kovilpatti, Thoothukudi District**, on condition that the **petitioners** shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each, 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 petitioners 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 petitioners are directed to deposit a sum of **Rs.1,500/- (Rupees One Thousand and Five Hundred only)** each to the credit of **Salem Vakil Gumasthas Association** (Account No:- 17801000000397, IFSC Code:-IOBA001780, Indian Overseas Bank, District Court Branch, Salem District, without prejudice to their rights and contentions before the trial Court. Only upon deposit, the learned Magistrate shall accept the sureties;



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[c] the petitioners shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

[e] the petitioners 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 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 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/-
20/01/2025

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/01/2025

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

LR



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TO COPY

- 1 THE JUDICIAL MAGISTRATE NO.II
KOVILPATTI, THOOTHUKUDI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KAYATHAR POLICE STATION,
THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE,
SALEM VAKIL GUMASTHAS ASSOCIATION, SALEM.

+1 CC to M/s.S.BALAJI, Advocate (SR-562[I] dated 21/01/2025)

ORDER

IN

CRL OP(MD) No.813 of 2025

Date :20/01/2025

SS/SKN/SAR- /31/01/2025/ 5P/7C

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