



CRL OP(MD). No.1859 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Arunkumar,

... Petitioner/ Accused rank not known

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
Crime No. 391/2024.

... Respondent/Complainant

For Petitioner : M/S.S.Sathyachidambaram,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.391 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody for



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the alleged offences under Sections 271, 272 of BNS, 2023, Section 15(1) of Environment Protection Act, 1986 altered into Section 271, 272, 329(3) of BNS, 2023, Section 15(1) of Environment Protection Act, 1986, Section 3 of TN Public Property (Prevent of Damage & Loss) Act, 1992, in Crime No.391 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons had transported huge quantity of medical waste and dumped the same at Tirunelveli District. The medical waste was transported from Kerala. There are totally 9 accused persons in this case and the petitioner has been arrayed as A4. The allegation against the petitioner is that the petitioner, who is agent, collected medical wastes from Kerala and he is the main accused person behind the entire incident.

3. The learned Additional Public Prosecutor, on instructions, submitted that the petitioner was formally arrested on 03.01.2025 in this case when he was already in judicial custody in Crime No.628 of 2024 on the file of the Suthamalli Police Station, Tirunelveli District.

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



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5. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner has suffered incarceration from 03.01.2025 in this case and the entire medical waste has been taken back to Kerala and the investigation is pending, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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, Cheranmahadevi, Tirunelveli District and on further conditions that:-

[a] 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 shall report before the respondent police daily at 10.30.a.m. until further orders without fail.



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[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.

[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, 2023.

sd/-
30/01/2025

/ TRUE COPY /

30/01/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG



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TO COPY

- 1 THE JUDICIAL MAGISTRATE
CHERANMAHADEVI TIRUNELVELI DISTRICT
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
- 4 THE INSPECTOR OF POLICE,
MUKKUDAL POLICE STATION,
TIRUNELVELI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1859 of 2025
Date :30/01/2025

SS/SAR- /30/01/2025/ 5P/6C

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