



CRL OP(MD). No.1857 of 2025

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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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Manogar,
S/o Thirunavukkarasu,
171 Bharathiyar Street,
Suthamalli,
Tirunelveli District..

... Petitioner/ Accused Rank Not Known

Vs

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

... Respondent/Complainant

For Petitioner : Mr.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.

<https://www.mhc.tn.gov.in/judis>



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ORDER: The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 23.12.2024 for the alleged offences under Sections 271, 272 of BNS, 2023, Section 15(1) of Environment Protection Act, 1986 and Section 3 of TNPPDL Act altered into Sections 270, 329 (1), 296(b), 109, 351(3), 271 and 272 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 A1. The allegation against the petitioner is that the petitioner, who is the Driver of the lorry, had transported the medical waste from Kerala and dumped the medical waste in Tirunelveli District.

3. The learned Additional Public Prosecutor on instructions submitted that the petitioner was formally arrested on 23.12.2024 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



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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 23.12.2024 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 Court, 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.

[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



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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

TO

1 THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.

4 THE INSPECTOR OF POLICE,
MUKKODAL POLICE STATION,
TIRUNELVELI DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.1857 of 2025
Date :30/01/2025

SA/SA/SAR. /30.01.2025/5P/6C

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