



CRL OP(MD). No.1844 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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1. Manogar,
S/o.Thirunavukkarasu,
171, Bharathiyar Street,
Suthamalli,
Tirunelveli District..

2. Arunkumar,
S/o.Manogar,
7th Street Eswaran Nagar,
Suthamalli,
Tirunelveli District..

... Petitioners/ Accused Rank Not Known

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Suthamalli Station,
Tirunelveli District.
Crime No.628 of 2024..

... Respondent/ Complainant

For Petitioners : Mr.S.Sathyachidambaram,
Advocate.

For Respondent : Mr.S.Ravi,

Additional Public Prosecutor

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



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PETITION FOR BAIL Under Sec.483 of BNSS

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PRAYER :- For Bail in Crime No.628 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused, who were arrested and remanded to judicial custody on 19.12.2024 and 28.12.2024 respectively for offences under Sections 270, 329(1), 296(b), 109, 351(3), 271, 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.628 of 2024, on the file of the respondent Police, seek 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 petitioners have been arrayed as Accused Nos.1 and 4. Accused No.1 is the father of Accused No.4. The allegation against Accused No.4 is that Accused No.4, who is agent, collected medical wastes from Kerala and he is the main accused person behind the entire incident. The allegation against Accused No.1 is that Accused No.1, who is the driver, transported the medical waste from Kerala and dumped the medical waste in Tirunelveli District.

3. The learned Additional Public Prosecutor, on instructions, submitted that

Accused No.1 was arrested on 19.12.2024 and Accused No.4 was arrested on

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



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28.12.2024.

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

5. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioners have suffered incarceration from 19.12.2024 and 28.12.2024 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 petitioners are ordered to be released on bail on their executing 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 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 petitioners shall report before the respondent police daily at 10.30.a.m. until further orders without fail.

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



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

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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 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].

[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,
SUTHAMALLI STATION,
TIRUNELVELI DISTRICT.



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

ORDER
IN
CRL OP(MD) No.1844 of 2025
Date :30/01/2025

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

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