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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD) No.2402 of 2025

Arunkumar,

... Petitioner/ Accused Rank Not Known

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Muneerpallam Police Station,
Tirunelveli District.
Crime No.577/2024.

... Respondent/Complainant

For Petitioner : Mr.S.Sathyachidambaram,
Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.577 of 2024 on the file of the respondent-Police.

ORDER : The Court made the following order :-

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



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This Criminal Original Petition has been filed by the petitioner/A1 on 05.02.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner / Accused Rank Not Known, who was arrested and remanded to judicial custody on 20.01.2025 for offences punishable under Sections 329(3), 270 and 271 of BNS and Section 5 of the Environment Protection Act, 1986 and Section 3 of the Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992, in Crime No.577 of 2024, on the file of the respondent Police, seeks bail.

3. The case of the prosecution is that some unidentified persons dumped medical waste at Occurrence Village and set it on fire. This resulted in the contamination of groundwater, affected cattle, contaminated the water, and polluted the environment, which in turn impacted the health of the surrounding people. Hence, the complaint.

4. Mr.S.Sathyachidambaram, learned counsel appearing for the petitioner, would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that the petitioner has been in judicial custody since 20.01.2025 in this case and he is ready to obey the condition to be imposed by this Court and pray for granting bail to the petitioner.



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5. Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police, on instructions, would submit that the petitioner was formally arrested on 20.01.2025 in this case when he was already in judicial custody in Crime No.628 of 2024 on the file of the Muneerpallam Police Station.

6. Heard on both sides. This Court has perused the records.

7. Considering the nature of offence and facts and circumstances of the case and also considering the period of incarceration, in order to give one more opportunity to reform himself, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial Magistrate No.V, Tirunelveli District;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate No.V, Tirunelveli District, shall obtain a copy of any one of identity proofs to ensure their identity;



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(iii) The petitioner shall furnish his residential address and mobile number;

(iv) The petitioner shall report before the respondent police daily at 05.00.p.m. until further orders;

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
07/02/2025

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07/02/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO
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1 THE JUDICIAL MAGISTRATE NO.V,
TIRUNELVELI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

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

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

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

ORDER
IN
CRL OP(MD) No.2402 of 2025
Date :07/02/2025

NBF / (07/02/2025) 5P / 6C

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