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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.4557 of 2025

Rajkumar,
S/o.Subramaniyan,
No.1/58/1, Aricha Street,
Melpathu,
Manasanallur,
Trichy.

... Petitioner/ Accused Rank not known

Vs

The State of Tamilnadu,
Rep By,
The Inspector of Police,
Vathalai Police Station,
Trichy District.
Cr.No.194 of 2018.

... Respondent/ Complainant

For Petitioner : Mr.K.Sathishkumar,
Advocate.

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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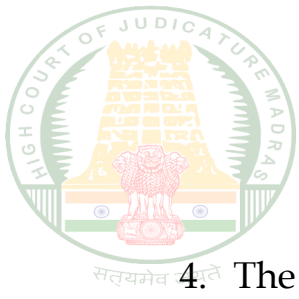
For Anticipatory Bail in Cr.No.194 of 2018 on the file of the respondent police.

ORDER: The Court made the following order :-

The petitioner/Accused rank not known, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 379 of IPC r/w Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.194 of 2018, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had illegally transported one gunny bag of river sand in a TVS vehicle on the Kollidam river. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he is no way connected with this crime. He would further submit that he has not committed any offence as alleged by the prosecution. He would further submit that the alleged sand was not recovered from the petitioner. He would further submit that the name of the petitioner was not found in the First Information Report. Accordingly, he prays to allow this petition.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent Police on instructions would submit that the petitioner illegally transported the river sand in a two wheeler and the sand and the vehicle have been recovered from the accused persons and the investigation is still pending. Accordingly, he prays to dismiss this petition.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions made on either side and the nature of allegations levelled against the petitioner and taking note of the fact that the case is pending from the year 2018 and sofar, the respondent Police have not taken any steps to secure the accused and taking note of the fact that the name of the petitioner is not found in the First Information Report, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the Judicial Magistrate, Musiri, and on further conditions that:



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[b] the petitioner shall report before the Inspector of Police, Jeeyapuram Police Station, Trichy District daily at 10.30 a.m., until further orders.

[c] the petitioner shall not commit any offences of similar nature.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

Sd/-
12/03/2025

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/03/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

tsg

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



TO
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- 1 THE JUDICIAL MAGISTRATE,
MUSIRI.
- 2 DO-THROUGH-THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE,
VATHALAI POLICE STATION,
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
JEEYAPURAM POLICE STATION,
TRICHY DISTRICT.

+1 CC to M/s.K.SATHISHKUMAR, Advocate (SR-2707[I] dated 12/03/2025)

ORDER

IN

CRL OP(MD) No.4557 of 2025

Date :12/03/2025

ES/SKN/SAR/19.03.2025/5P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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