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CRL OP(MD). No.14321 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14321 of 2024

Rajkumar

... Petitioner/ Accused 4

Vs

The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
Crime No. 462/2024.

... Respondent/Complainant

For Petitioner : Mr.M. Prabu, Advocate

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 462 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS r/w Section 21(1) of Mines and Minerals (Devlopment and Regulation) Act, 1957, in Crime No.462 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally transported 25



CRL OP(MD). No.14321 of 2024

bags of river sand in a two wheeler. Hence the case.

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

4.Considering the facts and circumstances of the case and also considering the nature of allegation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a)the petitioner and 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 am for a period of two weeks;



CRL OP(MD). No.14321 of 2024

WEB COPY

(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]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

(g)The petitioner shall pay a sum of Rs.8,000/- (Rupees Eight Thousand) to the credit of Headmistress, CIF No.85390730313, Account No.30596803302, A/C Type: Regular Savings Bank Account-State Bank of India, Address: Government Higher Secondary School, Maharajapuram, Watrap taluk, MICR No.626002052, Branch: Srivilliputtur, Branch Code: 921.

sd/-
30/08/2024

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/09/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.14321 of 2024

LR
TO
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1 THE JUDICIAL MAGISTRATE,
THIRUVAIYARU, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
THIRUVAIYARU POLICE STATION,
THANJAVUR DISTRICT.

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

COPY TO:

THE HEADMISTRESS,
GOVERNMENT HIGHER SECONDARY SCHOOL,
MAHARAJAPURAM,
WATRAP TALUK,
WATRAP.



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CRL OP(MD). No.14321 of 2024

ORDER IN
CRL OP(MD) No.14321 of 2024
Date :30/08/2024

SA/VR/SAR. /10.09.2024/5P/C

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