



CRL OP(MD)No.15329 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.07.2026

PRESENT

THE HONOURABLE MR.JUSTICE K. RAJASEKAR

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Muniyasami

... Petitioner / Accused No.1

Versus

The State of Tamil Nadu,
Rep by the Inspector of Police,
Nainarkoil Police Station,
Ramanathapuram District.
(Crime No.159 of 2026)

... Respondent/Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to enlarge the petitioner on bail in the event of arrest in Crime No.159 of 2026 on the file of the respondent police, or on his appearance.

For Petitioner : Mr.S.Malaikani

For Respondent : Mr.J.Vishnu
Government Advocate
(Criminal Side)



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ORDER : The Court made the following order :-

WEB COPY The petitioner, who apprehends arrest in connection with Crime No.159 of 2026 on the file of the respondent police, registered for the offences punishable under Sections 303(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, seeks the relief of anticipatory bail.

2. The case of the prosecution is that, on 17.07.2026 at about 13.00 hours, acting on secret information, the respondent police intercepted the accused and found them in possession of one unit of *savudu* sand, which had allegedly been illegally excavated from Gangaikondan Meikaval Oorani and transported with the aid of a JCB and a tractor. Hence, the present case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner had been granted a valid permit to lift sand from the *Urani*. According to him, the sand was lifted pursuant to the said permit and, merely because the transportation was made after the time stipulated in



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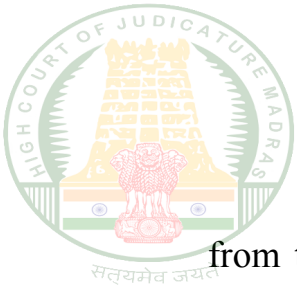
the permit, the present case has been registered. He further submitted that the petitioner is ready and willing to cooperate with the investigation and undertake to appear before the respondent police as and when required.

4. *Per contra*, the learned Government Advocate (Criminal Side) reiterated the prosecution case and submitted that the petitioner continued to lift sand even after the licence/permit had been cancelled and, therefore, he is not entitled to the relief of anticipatory bail.

5. This Court has carefully considered the rival submissions and perused the materials available on record.

6. Considering the fact that the petitioner was initially granted a valid permit to lift sand and that documents have been produced to show that, on the basis of the petitioner's apology, the authorities extended the validity of the permit by one more day, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days



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from the date on which the order copy made ready, before the learned Judicial Magistrate, Paramakkudi, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate concerned and on further conditions that:

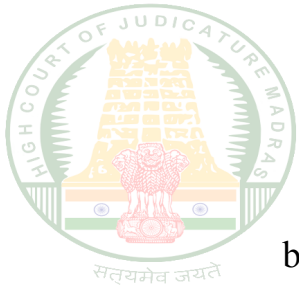
(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks, and thereafter as and when required for the interrogation;

(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



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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 abscond, a fresh FIR can be
registered under Section 269 of BNS, 2023.

24.07.2026

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To

- 1.The Judicial Magistrate,
Paramakkudi.
- 2.The Inspector of Police,
Nainarkoil Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K. RAJASEKAR,J.

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ORDER
IN
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