



CRL OP(MD). No.182 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.182 of 2025

1.Mahendran
2.Gopal @ Rajagopal

... Petitioners / Accused 1 & 2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Rajathani Police Station,
Theni District.
(Crime No.276 of 2024)

... Respondent / Complainant

For Petitioner : Mr.Kannan Gurusami,
Advocate

For Respondent : Mr.Thanga Aravind.B,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :- For Anticipatory Bail in Crime No.276 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for



CRL OP(MD). No.182 of 2025

the alleged offences under Sections 303(2) of BNS r/w. Section 21(4) of Mines and Minerals (Development Regulation) Act, 1957, in Crime No. 276 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had illegally transported each 1/4 unit of river sand in three bullock carts. Hence, the case.

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

4. The learned Government Advocate (Criminal Side), on instructions, submitted that there are totally four accused persons in this case and the petitioners have been arrayed as A1 and A2. There are no previous case against A1. He further submitted that A2 was arrested and remanded to judicial custody on 04.01.2025.

5. In view of the above development, this Criminal Original Petition is closed insofar as A2 is concerned and it is left open to A2 to move bail application before the concerned Court. Insofar as A1 is concerned, considering the facts and circumstances of the case and also considering the quantity of minerals involved, this court is inclined to grant anticipatory bail to A1 with certain conditions:

6. Accordingly, the petitioner/ A1 is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court, Andipatti,



CRL OP(MD). No.182 of 2025

WEB COPY

Theni District, on condition that the petitioner/A1 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner/A1 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.

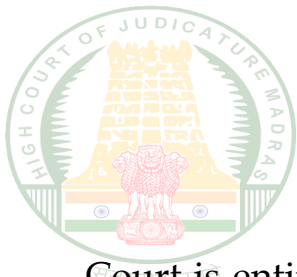
[b] the petitioner/A1 is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Madurai Bench of Madras High Court Advocate Clerk's Welfare Association, Madurai-625023 (Account No:- 496039124, IFSC Code:- IDIB000H040), without prejudice to his rights and contentions before the trial Court. Only upon deposit, the learned Magistrate shall accept the sureties;

[c] the petitioner/A1 shall appear before the respondent police as and when required for interrogation.

[d] the petitioner/A1 shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner/A1 shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial



CRL OP(MD). No.182 of 2025

Court is entitled to take appropriate action against the petitioner in accordance with
WEB COPY
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 of BNS, 2023.

sd/-
07/01/2025

/ TRUE COPY /

/01/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PKN
TO

1 THE JUDICIAL MAGISTRATE,
ANDIPATTI, THENI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE,
RAJATHANI POLICE STATION,
THENI DISTRICT.

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



CRL OP(MD). No.182 of 2025

COPY TO:

THE OFFICER INCHARGE,
ADVOCATE CLERK'S WELFARE ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI-625023

ORDER
IN
CRL OP(MD) No.182 of 2025
Date :07/01/2025

SA/SKN/SAR. /23.01.2025/5P/6C

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