



CRL OP(MD). No.645 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Penjamin

2.Andrew

... Petitioners/ Accused 1&2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.
(Crime No.9 of 2025)

... Respondent/Complainant

For Petitioners: Mr.R.L.Dhilipan Pandian,
Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.9 of 2025 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 303(2) of BNS, 2023 r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.9 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons had illegally transported 1/4 units of river sand in bullock car. Hence, the case.

3. The learned Government Advocate (Criminal Side), on instructions, submitted that there are totally 2 accused persons in this case and the petitioners have been arrayed as A1 and A2. There is one previous case against A1 and no previous cases against A2.

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

5. Taking into consideration the facts and circumstances of the case and also considering the quantity of minerals involved, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Thiruvaiyaru,



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Thanjavur District, on condition that the petitioner shall execute a bond for a sum of
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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 petitioners 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 first petitioner is directed to deposit a sum of Rs.2,500/- (Rupees Two
Thousand and Five Hundred only) and the second petitioner is directed to deposit a
sum of Rs.1000/- (Rupees One Thousand only) to the credit of the M/s.Salem Vakil
Gumasthas Association, Indian Overseas Bank, Branch:District Court, Salem
(Account No:-17801000000397, IFSC Code:-IOBA001780, without prejudice to their
rights and contentions before the trial Court. Only upon deposit, the learned
Magistrate shall accept the sureties.

[c] the petitioners shall appear before the respondent Police as and when
required for interrogation.

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



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[e] the petitioners shall not abscond either during investigation or trial.

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[f] 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 petitioners 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/-
10/01/2025

/ TRUE COPY /

/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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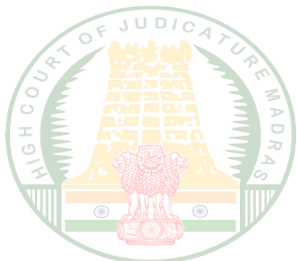
1 THE JUDICIAL MAGISTRATE,
THIRUVAIYARU, THANJAVUR DISTRICT.

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

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

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

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



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COPY TO:

THE OFFICER INCHARGE,
M/S.SALEM VAKIL GUMASTHAS ASSOCIATION,
SALEM.

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-479[I] dated 10/01/2025)

ORDER
IN
CRL OP(MD) No.645 of 2025
Date :10/01/2025

SA/SKN/SAR. /03.02.2025/5P/7C

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