



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.1339 of 2025

Boopathi @ Susu Boopathi,

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
(In Crime No. 5 of 2025).

... Respondent/Complainant

For Petitioner : Mr.M.Pretheve Raj
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.5/2025. on the file of the Respondent Police

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



ORDER: The Court made the following order :-

WEB COPY

The petitioner / A2, who apprehends arrest at the hands of the respondent Police for offences under Section 303(2) of BNS, 2023 r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.5 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons had illegally transported 1 unit of savadu sand in tractor and trailer. Hence, the case.

3. The learned Government Advocate (Criminal Side), on instructions, submitted that there are totally three accused persons in this case and the petitioner has been arrayed as Accused No.2. He further submitted that there are four previous cases against the petitioner.

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 petitioner with certain conditions:

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II,



WEB COPY

Ramanathapuram, 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner is directed to deposit a sum of Rs.2500/- (Rupees Two Thousand and Five Hundred 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 his rights and contentions before the trial Court. Only upon deposit, the learned Magistrate shall accept the sureties.

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

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

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

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



WEB COPY

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 of BNS, 2023.

sd/-
24/01/2025

/ TRUE COPY /

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

TSG
TO

1 THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
UCHIPULI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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



WEB COPY

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

COPY TO
M/S.SALEM VAKIL GUMASTHAS ASSOCIATION,
DISTRICT COURT,
SALEM.

ORDER
IN
CRL OP(MD) No.1339 of 2025
Date :24/01/2025

NBF / SAR- (12/02/2025) 5P/6C
Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023