



CRL OP(MD). No.2516 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10.02.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2516 of 2025

Ramasamy

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Ponnamaravathi Police Station,
Pudukkottai District.
Crime No.10 of 2025

... Respondent/Complainant

For Petitioner : Mr.K.Sivabalan, Advocate for
M/S.Aran Legal Consultancy

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.10 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 06.02.2025



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under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant an order of pre-arrest bail.

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2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Section 303(2) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.10 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 13.01.2025, at about 02.30 p.m., during vehicle inspection near Sembottal Area, Manapatta Road, the Special Revenue Inspector, Department of Geology and Mining, Puthukottai along with his Assistant intercepted the lorry bearing Registration No.TN 30 Y 4766 and found that 3 units of sand was illegally transported in the said lorry. While verifying the permit, the petitioner / A2 gave a time-barred permit. The Special Revenue Inspector directed the petitioner to take the lorry to Ponnamaravathi Police Station, in which, his Assistant was travelling. Suddenly the petitioner caused an accident deliberately and escaped from the place of occurrence. A1 is the owner and A2 is the driver of that lorry. The Special Revenue Inspector handed over the lorry to the Police. Hence, the case.



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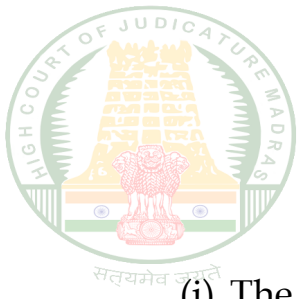
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4. Mr.K.Sivabalan, learned counsel appearing for the petitioner submits that the petitioner was arrayed as accused falsely. The petitioner did not commit any offence as alleged by the prosecution. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that the petitioner is the driver of the lorry. He transported 3 units of river sand in the lorry bearing Registration No.TN 30 Y 4766 without valid permit. The petitioner has two previous cases, which are not similar in nature. However, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioner has permanent residence and deep roots in the Society and therefore, there is less possibility of absconding. Considering the above and considering the nature of the offences allegedly committed by the petitioner and taking note of the fact that the petitioner is a driver by avocation, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:



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(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Ponnamaravathi, Pudukkottai District, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial Magistrate, Ponnamaravathi, Pudukkottai District;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) Thereafter, the petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m. until further orders;

(iv) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Ponnamaravathi, Pudukkottai District;

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(vi) On breach of any of the aforementioned conditions, concerned Magistrate, or Trial Court as the case may be, is entitled to pass appropriate orders against the



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petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

sd/-
10/02/2025

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

MBI

TO

- 1 THE JUDICIAL MAGISTRATE
PONNAMARAVATHI, PUDUKKOTTAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
PUDUKKOTTAI.
- 3 THE INSPECTOR OF POLICE,
PONNAMARAVATHI POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.SIVABALAN, Advocate (SR-1546[I] dated 10/02/2025)



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ORDER

IN

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Date :10/02/2025

SS/SKN/SAR- /20/02/2025/ 6P/6C

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