



CRL OP(MD). No.2828 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Murugan @ Maruthupandi

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
G. Vilakku Police Station,
Theni District.
Crime No. 25/2025.

... Respondent/Complainant

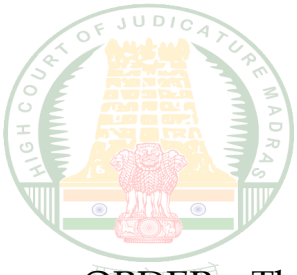
For Petitioner : Mr.P. Thanga Prithvi Rajan.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Cr1.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.25 of 2025 on the file of the respondent Police.



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ORDER : The Court made the following order :-

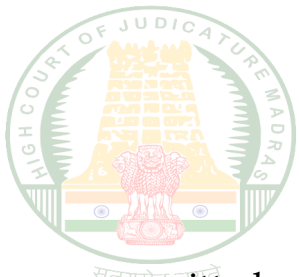
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This Criminal Original Petition has been filed by the petitioner on 12.02.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant an order of pre-arrest bail.

2. The petitioner/Sole accused apprehends arrest at the hands of the respondent-Police for the offence punishable under Section 21(4) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.25 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 01.02.2025 at about 11:50 a.m., when the defacto complainant, Village Administrative Officer, along with the Sub-Collector was conducting vehicle check-up at Suppulapuram Vilakku, they found that the petitioner was transporting 3 units of broken stone in a tipper truck bearing Registration No.TN-36-F-4376, from a licenced quarry, but with a forged permission letter. Hence, the case.

4. Mr.P. Thanga Prithvi Rajan, learned counsel appearing for the petitioner, submits that the petitioner is an innocent person and the petitioner has not



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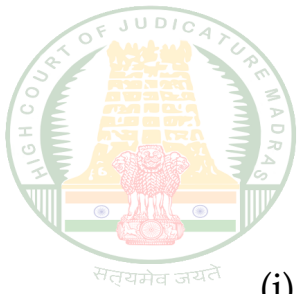
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committed any offence as alleged by the prosecution and also a false case has been foisted against the petitioner. He further submits that the petitioner is a driver of the tipper truck and he has no previous case. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. Mr.K.Sanjai Gandhi, the learned Government Advocate (Crl.Side) appearing for the respondent-Police, submits that the petitioner has illegally excavated and transported 3 unit of broken stone in a tipper truck bearing Registration No.TN-36-F-4376, without any valid license or permission. Accordingly, 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 hence, there is less possibility of absconding. Considering the same and considering the facts and circumstances of the case and also considering the nature of the offence and the quantity of broken stone allegedly excavated and transported by the petitioner, 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, Andipatti, Theni, 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.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand Only) to the satisfaction of the learned Judicial Magistrate, Andipatti, Theni;

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

(iii) 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;

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

(v) The petitioner shall make himself available for interrogation by a police officer as and when required;

(vi) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of



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the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(vii) The petitioner shall not leave India without previous permission of the Court; and

(viii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Andipatti, Theni, or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him 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/-
14/02/2025

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/02/2025

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

apd
TO

1 THE JUDICIAL MAGISTRATE, ANDIPATTI, THENI,

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



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THENI.
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3. THE INSPECTOR OF POLICE,
G. VILAKKU POLICE STATION,
THENI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.2828 of 2025
Date :14/02/2025

RK/SKN (26/02/2025) 6P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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