



CRL OP(MD). No.4282 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4282 of 2025

Anwarraja @ Chinasamy

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Saptur Police Station,
Madurai District.
Crime No.20 of 2025

... Respondent/ Complainant

For Petitioner : Mr.S.M.A.Jinnah

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER:- For Anticipatory Bail in Crime No.20 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 05.03.2025

<https://www.mhc.tn.gov.in/judis> under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to



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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 read with Section 21(5) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.20 of 2025 on the file of the respondent-police.

3. The petitioner and other accused persons filed CrI.O.P.(MD)No.2728 of 2025 and the same was partly allowed by this Court on 13.02.2025. As far as this petitioner is concerned, the said Criminal Original Petition was dismissed as withdrawn.

4. The case of the prosecution is that on 30.01.2025 at about 11.30 p.m., based on the secret information, the defacto complainant, the Village Administrative Officer along with the police, reached V.Ramasampuram, Ethinamalai and found that the accused persons were illegally excavating sand using a JCB bearing TN-58-AT-6204 in a patta land belonging to one Dharma and transporting it in a tractor bearing No.TN-55-AJ-5747. On seeing the police, the accused persons fled away from the scene of occurrence after unloading the sand into the nearby river, leaving the said vehicles into the forest. Hence, the case.

5. Mr.S.M.A.Jinnah, learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He, however, submits



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that the petitioner is ready to abide by any conditions to be imposed by this Court.

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Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

6. Mr.S.S.Manoj, learned Government Advocate (Crl. Side) appearing for the respondent-Police, submits that the petitioner has 19 previous cases and that there has been no changes in circumstances between 13.02.2025 to 01.03.2025. Accordingly, he prays to dismiss the Criminal Original Petition.

7. In view of the above submission, this Court is of the view that successive pre-arrest bail application without change of circumstances is not maintainable and also taking note of the antecedents of the petitioner, this Court is not inclined to grant pre-arrest bail to him. Accordingly, this Criminal Original Petition is dismissed.

sd/-

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/04/2025

Sub-Assistant Registrar

(C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

MBI

TO

1.The Inspector of Police,
Saptur Police Station,
Madurai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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ORDER
IN
CRL OP(MD) No.4282 of 2025
Date :17/03/2025

SA/GSV/SAR. /02.04.2025/4P/3C

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