



CRL OP(MD). No.5098 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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S.Nanthakumar

... Petitioner/ A3

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Vangal Police Station,
Karur District.
Crime No.386/2024

... Respondent/ Complainant

For Petitioner : Mr.J.Senthil Kumaraiah,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

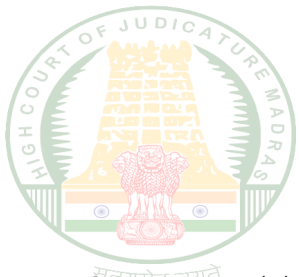
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.386/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A3, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 303(2) of BNS, 3 of TNPPDL Act and



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Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 in
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Crime No.386 of 2024, on the file of the respondent police, seeks anticipatory bail.

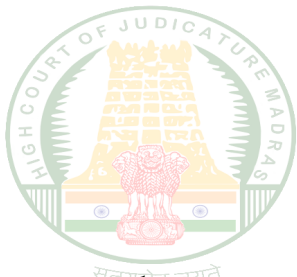
2. The case of the prosecution is that on 09.11.2024 at about 6.00am., the petitioner along with others have illegally transported five units of river sand without any valid license. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he is no way connected with this crime. He would further submit that he has not committed any offence as alleged by the prosecution. He would further submit that the co-accused in this case were released on anticipatory bail and no previous case is pending against the petitioner and the vehicles were also recovered, therefore he prays to allow this petition.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the petitioner along with other accused have illegally transported five units of river sand and also they damaged the river bed. Accordingly, he prays to dismiss this petition.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions made on either side and already the co-accused were released on bail, no previous case is pending against the petitioner and this petitioner is only driver of the JCB and the sand was also not transported



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and even according to the prosecution at the time of excavating sand all the accused
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caught red handed and this petitioner was not arrested, hence this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the Judicial Magistrate No.II, Karur, and on further conditions that:

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of thirty days and thereafter, as and when required for interrogation.

[c] the petitioner shall not commit any offences of similar nature.

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

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

[f] On breach of any of the aforesaid conditions, the learned Judicial 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 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].



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[g] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 269 B.N.S.

sd/-
25.03.2025

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/04/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1.The Judicial Magistrate No.II, Karur
 - 2.Do through the Chief Judicial Magistrate,
Karur District.
 - 3.The Inspector of Police,
Vangal Police Station,
Karur District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.J.SENTHIL KUMARAI AH,
Advocat (SR-3554[I] dated 27/03/2025)

ORDER
IN

CRL OP(MD) No.5098 of 2025
Date : 25/03/2025

SL(01.04.2025)/ 4P/ 6C

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