



CRL OP(MD). No.5623 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

(Criminal Jurisdiction)

Date : 26.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5623 of 2025

Saravanan

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.
Crime No.39 of 2025

... Respondent/ Complainant

For Petitioner : Mr.V.Vishnu

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.39 of 2025 on the file of the respondent-police.



CRL OP(MD). No.5623 of 2025

ORDER: The Court made the following order :-

WEB COPY

This Criminal Original Petition has been filed by the petitioner on 24.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant an order of pre-arrest bail.

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) ~~(*)~~ & 21(2) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.39 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 21.03.2025, at about 02.00 p.m., based on secret information, the respondent-Police intercepted a lorry bearing Registration No.TN 38 CM 6516 at Malaikudipatti and on enquiry, they found that the vehicle was illegally loaded with rough stones (gravel) without valid permission. Hence, the case.

4. Mr.V.Vishnu, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and a false case has been foisted against him. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.S.S.Manoj, learned Government Advocate (Crl.Side)



CRL OP(MD). No.5623 of 2025

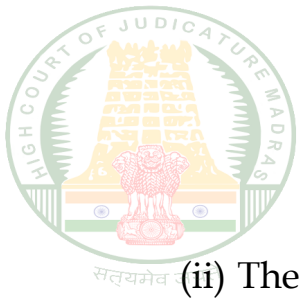
WEB COPY

appearing for the respondent-police, submits that the petitioner and other accused person illegally transported six units of rough stones without trip sheet. He further submits that the petitioner has no previous case. However, he prays to dismiss this Criminal Original Petition.

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

7. It appears that investigation officer already seized vehicle along with illegally transported gravel, hence, custodial interrogation of the petitioner is not necessary and the petitioner has permanent residence and deep roots in the Society and therefore, there is less possibility of absconding. The petitioner is a first offender. Considering the same and the nature of the offences alleged against the petitioner and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(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, Thirumayam, 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, Thirumayam;



CRL OP(MD). No.5623 of 2025

WEB COPY

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

(iv) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

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

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

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Thirumayam;

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

(ix) 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



CRL OP(MD). No.5623 of 2025

petitioner in accordance with law as if the aforementioned conditions are imposed
WEB COPY
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/-
26/03/2025

**(*)AMENDED AS PEE ORDER OF THE COURT
DT.13/06/2025 IN CRL.MP(MD).7330 OF 2025 IN
CRL.OP(M).5623 OF 2025 BY PVMJ .**

**FURTHER TIME IS EXTENDED BY TEN DAYS
FROM THE DATE OF RECEIPT OF A COPY OF
THIS ORDER TO COMPLY THE ORDER OF
THIS COURT IN CRL.O.P.(MD).NO.5623 OF
2025 DATED 26.03.2025.**

/ TRUE COPY /

/05/2025

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

MBI

TO SUBSTITUTED WITH THE ORDER DT.26/03/2025 ALREADY DESPATCHED
TO



CRL OP(MD). No.5623 of 2025

WEB COPY

1.THE JUDICIAL MAGISTRATE,
THIRUMAYAM.

2.THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI.

3.THE INSPECTOR OF POLICE,
THIRUMAYAM POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

ORDER IN
CRL OP(MD) No.5623 of 2025
Date :26/03/2025

PR/13.05 .2025 6P/5C

PAL

NM/30.06.2025 6P/5C

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