



CRL OP(MD). No.5688 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 27/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5688 of 2025

Jeevanantham

... Petitioner/ Accused Rank
Not Known

Vs

The State of Tamil nadu,
rep by The Inspector of Police,
Adiramapattinam Police Station,
Thanjavur District.
(Crime No.154 of 2025)

... Respondent/Complainant

For Petitioner : Mr.K.M.Karunakaran

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.154 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 25.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita praying to grant an order of pre-arrest bail.

2. The petitioner/ Accused Rank Not Known apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 303(2) of BNS read with Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.154 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on the basis of the secret information, the respondent-police conducted raid and stopped TATA 407 vehicle and found that one unit of river sand was illegal transported. On seeing the respondent-police, the accused person fled away from the scene of occurrence. The offended vehicle was seized by the respondent-police with sand. Hence the case.

4. Mr.K.M.Karunakaran, learned counsel for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and the respondent police has falsely implicated the petitioner as an accused. He further submits that the petitioner is ready to obey the condition to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal



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Side) appearing for the respondent-police submits that the accused person has illegally transported ½ unit of river sand. He further submits that the petitioner has two previous cases. Hence, he opposes to grant pre-arrest bail to the petitioner.

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

7. Considering the fact that offended vehicle has been seized with sand by respondent-police, the custodial interrogation of the petitioner is not necessary and also considering the fact that the petitioner has permanent residence and deep roots in the society and therefore, there is less possibility of absconding 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, Pattukottai, within a period of 15 days from the date on which this order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate, Pattukottai;

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

(iii) The sureties shall affix their photographs and left thumb impression in the



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Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate No.1, Ramanathapuram, Ramanathapuram District, shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioner shall make himself available for interrogation by the respondent-Police as and when required;

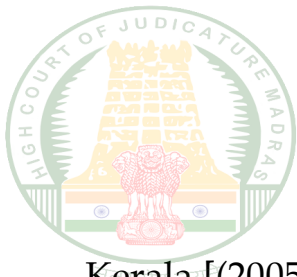
(v) The petitioner shall not, directly or indirectly, cause any threat to the witnesses and shall not tamper the evidence;

(vi) 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.

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

(viii) The petitioner shall furnish her residential address and mobile number to the concerned Magistrate.

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate/Trial Judge is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of



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Kerala [(2005) 13 SCC 283].

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

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27/03/2025

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/04/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RMK

TO

1.THE JUDICIAL MAGISTRATE,
PATTUKOTTAI, THANJAVUR DISTRICT.

2.THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.

3.THE INSPECTOR OF POLICE,
ADIRAMAPATTINAM POLICE STATION,
THANJAVUR DISTRICT.

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

+1. CC to K.M.KARUNAKARAN Advocate SR.No.3641 DT.28/03/2025



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ORDER IN
CRL OP(MD) No.5688 of 2025
Date :27/03/2025

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