



CRL OP(MD). No.6281 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.6281 of 2025

Bharathiraja,
S/o.Kulasekarapandian

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.
(Crime No.90 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.Dhilipan Pandian R L,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-

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For Anticipatory Bail in Crime No.90 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 303(2) of BNS, 2023 in Crime No.90 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused illegally transported 1 unit of saral sand using a tractor. Hence, a case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that there are totally eleven accused persons in this case and the petitioner has been arrayed as



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A11. Some of the co-accused have been arrested and subsequently released on bail, while others have been granted anticipatory bail by this Court. There are totally 100 units of minerals involved in this case, and 6 tractors, along with one JCB, were seized. The petitioner is the owner of the said JCB. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, and taking note of the fact that some of the co-accused have been arrested and released on bail, while others have been granted anticipatory bail by this Court, and that as the date of occurrence is 20.02.2025, by this time most of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.III, Tirunelveli District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to



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arrest or to the satisfaction of the learned Judicial Magistrate No.III, Tirunelveli District, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

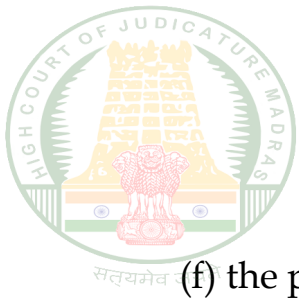
(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the District Mineral Foundation Trust, Tirunelveli District as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate No.III, Tirunelveli District shall accept the sureties furnished by the petitioner;

(c) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.III, Tirunelveli District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.III, Tirunelveli District;

(d) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(f) the petitioner shall not abscond either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned 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] and;

(h) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
25/06/2025

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/07/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn
TO

1.The Judicial Magistrate No.III,
Tirunelveli District.

2. Do Through The Chief Judicial Magistrate,
Tirunelveli District.

3.The Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.

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

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



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Copy To

The Officer Incharge,
The District Mineral Foundation Trust,
Tirunelveli District.

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-6871[I] dated 27/06/2025)

ORDER

IN

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Date :25/06/2025

HPS/14.07.2025 /6P/7C

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