



CRL OP(MD). No.6327 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Prabhu @ Moolikulam Prabhu @ Balamurugan

... Petitioner/

Accused Rank Not Known

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
CBCID Police Station,
Tirunelveli District.
(Crime No.02 of 2021)

... Respondent/Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 02 of 2021 on the file of the
respondent police.



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ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 379 of IPC @ 120 (B), 379 r/w. Section 21(1) (iv) of Mine and Minerals (Development and Regulations) Act, @ 420, 465, 471, 120(B), 379 of IPC r/w. Section 21(1) (iv) of Mine and Minerals (Development and Regulations) Act, in Crime No.02 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused persons smuggled a large quantity of sand from 280 acres of patta land by creating forged documents and obtaining a licence in the name of Bhoomi M Sand Storage Yard, by using 5000 vehicles. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the co-accused have already been granted anticipatory bail. Hence, he prays for grant of



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anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that 12 previous cases are pending against the petitioner and that he is a history sheeter. He further submits that the investigation is still in progress.

5. Taking into consideration of the facts and circumstances of the case and also considering the fact that the co-accused have already been granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court No.I, Tirunelveli District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police



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Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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 make a non refundable deposit of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of the Headmaster, Government High School, G Udayapatty, Kulithalai, State Bank of India, Kulithalai Branch, Account No.31470991902, IFSC No.SBIN0000863, MICR Code: 639002051, without prejudice to his contentions and rights before the trial Court. On such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner.

(c) the petitioner shall report before the respondent police daily at 10.30 a.m until further orders. He has to co-operate for the investigation;

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

(e) the petitioner shall not abscond either during



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investigation or trial;

(f) 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 petitioners 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;

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

(S S Y J)
24.10.2025

jbr

To

1. The Judicial Magistrate No.I,
Tirunelveli District.
2. The Inspector of Police,
CBCID Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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S.SRIMATHY,J.

jbr

ORDER
IN
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