

CRL OP(MD). No.6547 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.6547 of 2025

Selvi,
W/o.Selvam

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
(Crime No.49 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.A.Uthaya Kumar,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.49 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS, 2023 r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.49 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 17.03.2025, the accused illegally transported 1/4 unit of river sand using a tractor. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and is in no way connected with the alleged occurrence as stated by the prosecution. The petitioner is merely the owner of the vehicle and has been falsely implicated in this case. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submits that there are totally two accused persons in this case and the petitioner has been arrayed as A2. A1 has been granted anticipatory bail on 09.04.2025 by this Court in Crl.O.P.(MD)No.6426 of 2025. He further submitted that there are no previous cases registered against the



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petitioner. However, he opposed to grant anticipatory bail to the petitioner.

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5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and taking note of the fact that as the date of occurrence is 17.03.2025, by this time most of the investigation might have been completed, and that the co-accused has been granted anticipatory bail by this Court, and that there are no previous cases registered against the petitioner, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Kamuthi, Ramanathapuram 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 the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Kamuthi, Ramanathapuram 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



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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.5,000/- (Rupees Five Thousand only) to the credit of the District Mineral Foundation Trust, Ramanathapuram District as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Kamuthi, Ramanathapuram District shall accept the sureties furnished by the petitioner;

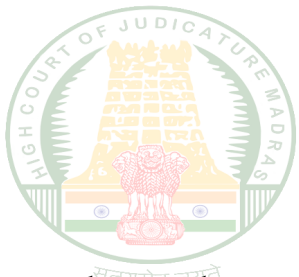
(c) the petitioner shall furnish her residential address and mobile number to the learned Judicial Magistrate, Kamuthi, Ramanathapuram District. In the event of any change in her residential address, the petitioner shall report the same to the learned Judicial Magistrate, Kamuthi, Ramanathapuram District;

(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;

(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



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learned Magistrate/Trial Court herself as laid down by the Hon'ble Supreme Court
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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/-

03.07.2025

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

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TO

1.The Judicial Magistrate,
Kamuthi, Ramanathapuram District.

2. Do Through: The Chief Judicial Magistrate,
Kamuthi, Ramanathapuram District.

3. The District Mineral Foundation Trust,
Ramanathapuram District.

4.The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.

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



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ORDER
IN
CRL OP(MD) No.6547 of 2025

Date : 03/07/2025

KM (24.07.2025)/6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.