



CRL OP(MD).No.6911 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.6911 of 2025

1.Rajasekar
2.Ramkumar

... Petitioners/ A1 & A3

Vs

The State of Tamil Nadu rep. by
The Sub Inspector of Police,
Maraneri Police Station,
Virudhunagar District.
(Crime No.93 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.S.Radhakrishnan
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.93 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A3, who apprehend arrest at the hands of the respondent



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police for the offences punishable under section 303(2) of BNS and Section 21(1) of
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Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.93 of
2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have illegally transported
3/4 unit of gravel sand by using a tipper lorry. Hence, a case has been registered.

3. The learned counsel appearing for the petitioners submits that the
petitioners are innocent and the petitioners have not committed any offence as
alleged by the prosecution and also a false case has been foisted against them. He
would further submit that the co-accused was already arrested and released on bail.
Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submits that totally there are
three accused and the petitioners are arrayed as Accused Nos.1 and 3 and Accused
No.2 was already arrested and released on bail. He would further submit that the
petitioners, along with other accused have illegally transported 3/4 unit of gravel
sand by using tipper lorry without any valid permission. Hence, he objected to grant
anticipatory bail to the petitioners. However, he fairly concedes that no previous
case is pending against the petitioners and the properties have also been recovered.

5. Considering the facts and circumstances of the case and also considering the
fact that the properties have also been recovered, and no previous case is pending



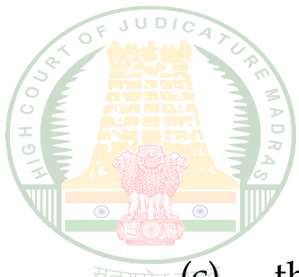
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against the petitioners, this Court is inclined to grant anticipatory bail to the
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petitioners, with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.1, Sivakasi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 No.1, Sivakasi, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioners 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 petitioners shall deposit a sum of Rs.2,500/- (Rupees Two Thousand Five Hundred only) each before the District Mineral Foundation Trust, Virudhunagar District as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate No.1, Sivakasi, shall accept the sureties furnished by the petitioners:



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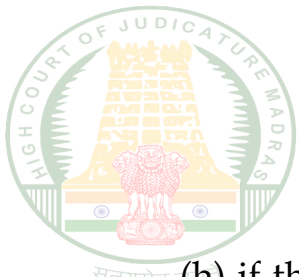
(c) the petitioners shall furnish their residential address and contact number to the learned Judicial Magistrate No.1, Sivakasi. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate No.1, Sivakasi;

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

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

(f) the petitioners 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 petitioners 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;



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

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sd/-
13/06/2025

(*)CORRECTED AS PER THE
ORDER OF THIS HON'BLE COURT
DATED 09/07/2025 IN CRL OP
(MD) No.6911 of 2025

Further, ten days time is granted to
the petitioners to comply with the
conditions as imposed by this Court
in CrI.O.P.(MD).No.6911 of 2025,
from the date of receipt of copy of
this order.

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/06/2025

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

VSD
TO

TO BE SUBSTITUTED WITH THE ORDER DATED 25/06/2025 ALREADY
DESPATCHED.

1.THE JUDICIAL MAGISTRATE NO.1,
SIVAKASI

2.THE CHIEF JUDICIAL MAGISTRATE, SIVAKASI.

3.THE SUB INSPECTOR OF POLICE,
MARANERI POLICE STATION, VIRUDHUNAGAR DISTRICT.

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



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4.THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.S.RADHAKRISHNAN, Advocate (SR-6310[I] dated 13/06/2025)

ORDER
IN
CRL OP(MD) No.6911 of 2025
Date :13/06/2025

NM/09.07.2025 6P/7C

PR/24.06 .2025 6P/7C

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