



CRL OP(MD). No.7006 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Surendhran @ Rengasamy,
S/o.Pitchai

... Petitioner/ A4

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Thogamalai Police Station,
Karur District.
(Crime No.141 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.Iniyavan M,
Advocate

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



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.141 of 2025 on the file of the Respondent Police.
ORDER : The Court made the following order :-

The petitioner/ A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 r/w. Section 303(2) of BNS, 2023 in Crime No.141 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant, who is the Village Administrative Officer, lodged the present complaint stating that on 11.04.2025, based on secret information regarding illegal sand excavation and transportation from the land in S.F.No.50/3D, he conducted a field inspection and confirmed the same. The petitioner is the owner of the said land. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and is in no way connected with the alleged occurrence as stated by the prosecution. He is merely the owner of the land. For the past 20 years, the petitioner has been residing in Dindigul District and running a tea



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shop in his locality. The said land came into his possession only after the demise of all other legal heirs. On the date of the alleged occurrence, the petitioner was in Dindigul and had no knowledge of the incident. Later, upon learning about the same, the petitioner lodged a complaint before the respondent police on 22.03.2025 regarding the illegal excavation and transportation of land by the accused in his land. He has been falsely implicated in this case. He, however, submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that there are totally four accused persons in this case and the petitioner has been arrayed as A4. A1 was arrested and subsequently released on bail. A2 and A3 have been granted anticipatory bail on 21.04.2025 by this Court in Crl.O.P.(MD)No.7039 of 2025. However, he opposed to grant anticipatory bail to the petitioner.

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 one of the co-accused was arrested and subsequently released on bail, and two of the co-accused have been granted anticipatory bail by this Court, and that as the date of occurrence is 11.04.2025, by this time most of the investigation might have been completed, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



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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.1, Kulithalai, 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 arrest or to the satisfaction of the learned Judicial Magistrate No.1, Kulithalai, 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 furnish his residential address and mobile number to the learned Judicial Magistrate No.1, Kulithalai. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.1, Kulithalai;

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

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



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investigation or trial;

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(e) the petitioner shall not abscond either during 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 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;

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

sd/-
01/07/2025

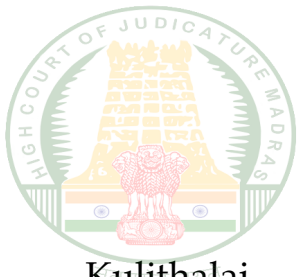
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Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn
TO

1. The Judicial Magistrate No.1,
<https://www.jmc.tn.gov.in/judis>



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2. Do through the Chief Judicial Magistrate,
Karur.

3.The Inspector of Police,
Thogamalai Police Station,
Karur District.

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

ORDER
IN

CRL OP(MD) No.7006 of 2025
Date :01/07/2025

PS/SAR.21.07.2025 6P/5C

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