



CRL OP(MD). No.7537 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.7537 of 2025

1. Deepak

2. Dinesh Kumar

... Petitioners/ A1 & A2

Vs

The State of Tamilnadu Rep.,
By, the Inspector of Police,
Vangal Police Station,
Karur District.
(Crime No. 76 of 2025).

... Respondent/ Complainant

For Petitioner : Mr. Imran Khan.J.,
Advocate.

For Respondent: Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 76 of 2025 on the file of the respondent-police.



CRL OP(MD). No.7537 of 2025

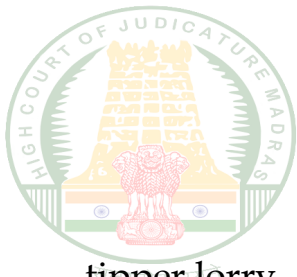
ORDER: The Court made the following order :-

WEB COPY

This Criminal Original Petition has been filed by the petitioners on 22.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.

2. The petitioners / Accused Nos.1 and 2 apprehend arrest at the hands of the respondent-Police for the alleged offences punishable under Section 303 (2) of Bharatiya Nyaya Sanhita, 2023 and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.76 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that on 29.03.2025 at about 12.30 p.m., the deacto complainant-Village Administrative Officer, along with revenue officials went near Semmarai Ring Road, at that time, Torus lorry bearing registration No.TN 88 K 1967 crossed. The defacto complainant/VAO and other revenue officials intercepted the vehicle and found that they illegally excavated and transported six units of river sand by using the above said vehicle without any valid license or permission. Thereafter, the respondent-Police seized the sand and the alleged vehicle from the accused. The first petitioner is the driver and second petitioner is the owner of the



CRL OP(MD). No.7537 of 2025

tipper lorry. Hence, the case.

WEB COPY

4. Mr.J.Imran Khan, the learned counsel for the petitioners, submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He, however, submits that the petitioners are ready to abide any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioners.

5. *Per contra*, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner has illegally excavated and transported six units of river sand by using the said Torus Lorry without any valid license or permission. He further submits that the first petitioner has one previous case, which is not similar in nature. The second petitioner has no previous case. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. Considering the fact that the vehicle along with illegally transported river sand has already been seized by the respondent-Police, the custodial interrogation



CRL OP(MD). No.7537 of 2025

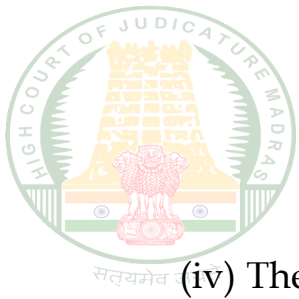
WEB COPY

of the petitioners is not necessary. Further, the petitioners have permanent residence and deep roots in the society and therefore, there is less possibility for absconding. Considering the same, and also considering the quantity of river sand allegedly excavated and transported by the petitioners, and with a view to give one opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions.

(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate II, Karur, within a period of 15 days from date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each along with two sureties, each for a like sum of Rs.25000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate II, Karur,;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate II, Karur, shall obtain a copy of any one identity proof of each surety to ensure their identity;

(iii) The petitioners shall appear and sign before the respondent-Police daily at 09.00 a.m. until further orders;



CRL OP(MD). No.7537 of 2025

WEB COPY

(iv) The Second petitioner shall pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) in favour of the District Green Committee, Karur District without prejudice to their rights and contentions before the Trial Court and produce the receipt / acknowledgment before the learned Judicial Magistrate II, Karur, within a period of 20 days from date on which the order copy is made ready,,;

(v) The petitioners shall make themselves available for interrogation by police as and when required;

(vi) The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

(vii) The petitioners shall not leave India without the prior permission of the Court;

(viii) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate II, Karur,;

(ix) The petitioners shall not, directly or indirectly, cause any threat to the witnesses and shall not tamper the evidence; and

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate II, Karur or Trial Judge, as the case may be, is entitled to pass appropriate orders against the petitioners in accordance with law as if the



CRL OP(MD). No.7537 of 2025

aforementioned conditions are imposed by him / her as laid down by the Hon'ble

WEB COPY

Supreme Court in *P.K. Shaji vs. State of Kerala* [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

Sd/-

24/04/2025

// True Copy //

/2025

Sub Assistant Registrar
(CS - I/ II / III /IV)

Madurai Bench of Madras High Court,
Madurai.

vsg

TO

1.The learned Judicial Magistrate II, Karur,

2.The Inspector of Police,
Vangal Police Station,
Karur District.

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



CRL OP(MD). No.7537 of 2025

WEB COPY +1 CC to M/s.J.IMRAN KHAN, Advocate (SR-4677[I] dated 24/04/2025)

CRL OP(MD) No.7537 of 2025

Date : 24/04/2025

KVL/26.05.2025 7P/5C

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