



CRL OP(MD). No.8360 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/05/2025

PRESENT

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CRL OP(MD). No.8360 of 2025

Chinnasamy

... Petitioner

Vs

The State of Tamilnadu,
Rep By,
The Inspector of Police,
Chinnamanur Police Station,
Theni District.
(Cr.No.156 of 2025)

... Respondent

For Petitioners : Mr.T.Antony Arulraj

For Respondent : Mr.B.Thanaga Aravindh
Government Advocate (Cr1.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory bail in Cr.No.156 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 303(2) BNS and 21(4) of Mines & Minerals (Development & Regulation) Act, 1957 in Cr.No.156 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defeacto-complainant namely Assistant Director of Geology and Mines Department, Theni District on 17.04.2025 at about 05.09p.m. had conducted routine checkup, four vehicles were illegally transmitted the river sand without having any valid license. On seeing the officials, the petitioner and other drivers were dropped the vehicle and ran away from spot. The officials seized the same. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He, however, submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He



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further submits that the petitioner is willing to deposit some amount to the Green Committee, Theni District. He therefore prays for grant of pre-arrest bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are four accused and this petitioner was ranked as second accused. The petitioner has illegally excavated and transported three units of gravel sand without having any valid license or permission. He further submits that there is no previous cases pending against the petitioner. Other accused persons were arrested and subsequently enlarged on Anticipatory bail. Accordingly, he prays to dismiss this Criminal Original Petition.

5. Considering the fact that the petitioner was arrayed as Accused No.2, the other accused in this case have got anticipatory bail, there is no previous case 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 anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the



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date on which the order copy made ready, before the Judicial Magistrate, Uthamapalayam, 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 Magistrate concerned, 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 report before the respondent Police daily at 10.30a.m. until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
08/05/2025

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/06/2025

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

GVN
TO

1.THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM, THENI.

2.DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3.THE INSPECTOR OF POLICE,
CHINNAMANUR POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.T.ANTONY ARUL RAJ, Advocate (SR-5494[I] dated 12/05/2025)

ORDER

IN

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Date :08/05/2025

HPS/03.06.2025 /5P/6C

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