



CRL OP(MD)No.8369 of 2025

WEB COPY 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.8369 of 2025

1. Johny Jose

2. Muhammed Dilshad

... Petitioners

Vs

State of TamilNadu

rep. by

The Inspector of Police,

Gandamanur P.S.,

Theni District.

(In Crime No.66 of 2025)

... Respondent

For Petitioner : Mr.S.Sundarapandian

For Respondent : Mr.B.Thanga Aravindh,

Government Advocate(Crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.66 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1&2, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 223 BNS, and Section



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21(5) of Mines and Minerals(Development & Regulation) Act, 1957 in Cr.No.66 of 2025 on the file of the respondent police, seeks anticipatory bail.

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2.The case of the prosecution is that as per the order of the District collector, the officials were conducted surprise visit to the first petitioner quarry, at that time they found that one vehicle loaded with mines materials, the said vehicle does not have any valid license to transport the mining materials. The officials found that the said vehicle was illegally transported the mining materials without having any valid license. Based on their information, the present case came to be registered.

3. The learned Counsel for the petitioners would submit that the first petitioner is running a quarry with valid license for a period of five years, the license is valid upto 28.11.2028. The petitioners did not involved in any alleged quarry work. They did not involved in any such illegal activities. The petitioners are falsely implicated in this case. The petitioners are innocents persons and they have been falsely implicated in this case. However, he submits that the petitioners are ready to abide by any conditions to be imposed by this Court. He further submits that the petitioners are willing to deposit some amount to the Green Committee, Theni District. He therefore prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the first petitioner is running a quarry and they were



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doing quarry work exceeded the permitted level. There are no previous case as
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against the petitioners. However, he prays to dismiss this Criminal Original Petition.

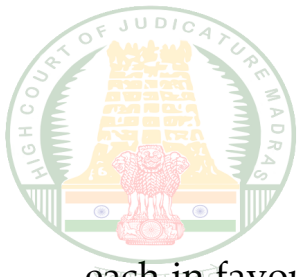
5. Considering the nature of the allegations and considering the fact that there are no previous case as against the petitioners, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6. Accordingly, the petitioners are ordered to be released on anticipatory 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 Judicial Magistrate, Andipatti, Theni District, on condition that the petitioners shall execute separate 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 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 report before the respondent Police daily at 10.30a.m. until further orders.

(c) The petitioners shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only)



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each in favour of the District Green Committee, Theni District, without prejudice to their rights and contentions before the trial Court and produce the receipt / acknowledgment before the learned Judicial Magistrate, Andipatti, Theni District.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners 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 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].

[g] 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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/05/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN



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- 1.The Judicial Magistrate, Andipatti, Theni District.
- 2.Do through the Chief Judicial Magistrate, Theni.
3. The Inspector of Police, Gandamanur P.S., Theni District.
- 4.The Additional Public Prosecutor,Madurai Bench of Madras High Court,Madurai.

ORDER

IN

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Date :08/05/2025

PP/22.05.2025 5P/5C

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