



CRL OP(MD)No.8413 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.8413 of 2025

1.Hari @ Hariharan

2.Sekar

... Petitioners

Vs

The State of TamilNadu,
Rep. by Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
(Crime No.90 of 2025)

... Respondent

For Petitioners : Mr.D.Rameshkumar

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.90 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 Section 21(4) of the TamilNadu



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Mines and Minerals (Development and Regulation) Act, 1957 r/w Section 303 (2), 281, 132 and 351(3) of BNS, 2023 and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss), Act 1992 in Crime No.90 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that based on the secret information, the respondent police have conducted a raid at that time they found a Tracker and Tipper lorry involved in illegal sand mining. On seeing the police officials, the accused persons were escaped from the spot. Hence the complaint.

3. The learned Counsel for the petitioner would submit that the petitioners were not involved in any of the offences as alleged by the prosecution. The petitioners are innocents and they are falsely implicated in this case. He further 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, Ramanathapuram 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 petitioners illegally transported 1/2 unit of sand. On seeing the police officials, they rashly drove the vehicle and they hit and damaged the Electric pole and one private parties compound wall and they damaged the



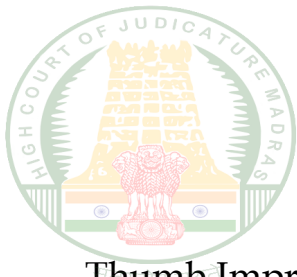
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public property. Totally there are four accused, these petitioners are arrayed as first and second accused. There are some previous cases pending against the petitioners. Accordingly, he prays to dismiss this Criminal Original Petition.

5. Considering the nature of the allegations and considering the fact that the petitioners are having some previous cases, however, considering the undertaking given by the petitioners that they are willing to deposit some amount to the Green Committee, Ramanathapuram District and with a view to give one more opportunity to reform themselves, this Court is inclined to grant an order of anticipatory bail to the petitioners 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 learned Judicial Magistrate No.II, Ramanathapuram, on condition that the petitioner shall execute separate 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 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



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Thumb Impression in the surety bond and the Magistrate may obtain a copy of their
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Aadhar card or Bank Pass Book to ensure their identity.

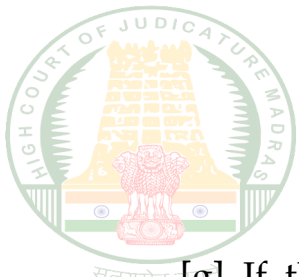
b] The petitioners shall pay a sum of Rs.2000/- (Rupees Two Thousand only) each in favour of the District Green Committee, Ramanathapuram District, without prejudice to their rights and contentions before the trial Court and produce the receipt / acknowledgment before the learned Judicial Magistrate Court No-II, Ramanathapuram.

[c] the petitioners shall report before the respondent Police daily at 10.30a.m.until further orders.

[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 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].



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[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
TO

- 1.The Judicial Magistrate No.II, Ramanathapuram
 2. Do through The Chief Judicial Magistrate, Ramanathapuram.
 - 3.The Inspector of Police, Uchipuli Police Station, Ramanathapuram District.
 - 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.D.RAMESHKUMAR, Advocate (SR-5329[I] dated 08/05/2025)

ORDER IN
CRL OP(MD) No.8413 of 2025
Date :08/05/2025

PP/22.05.2025 5P/6C

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