



CRL OP(MD)No.8408 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.8408 of 2025

1.Arumugam

2.Ponnusamy

... Petitioners

Vs

State of TamilNadu rep. by
The Inspector of Police,
Nangavaram Police Station,
Karur District.
(Crime No.122 of 2025)

... Respondent

For Petitioner : Mr.B.Santhanam Rajesh Kumar

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.122 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 303 (2) BNS r/w



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Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 in
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Crime No.122 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 30.04.2025 the Village Administrative Officer and other officials were conducted routine patrol duty near Kavalkaranpatti to Puthur Main Road, at that time, petitioners parked the tipper lorry. The officials searched the said tipper lorry and found that without having any valid license, the petitioners illegally transported the two unit of gravel sand. The officials were seized the vehicle. Hence the complaint.

3. The learned Counsel for the petitioners 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, Karur District. He therefore prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) would submit that the first petitioner owner of the offending vehicle and the second petitioner is the driver of the vehicle. The petitioners were illegally transported two units of gravel sand without having any valid license or permit. There are previous cases pending



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against the petitioners. Accordingly, he prays to dismiss this Criminal Original
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Petition.

5. Considering the nature of the allegations and considering the fact that there are some previous cases pending against the petitioner, however, considering the undertaking given by the petitioners that they are willing to deposit some amount to the Green Committee, Karur 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 Judicial Magistrate Court No.2, Kulithalai, Karur District, on condition that the petitioners shall execute a 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 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.

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[b] The petitioners shall pay a sum of Rs.2000/- (Rupees Two Thousand only) each in favour of the District Green Committee, Karur District, without prejudice to his rights and contentions before the trial Court and produce the receipt / acknowledgment before the learned Judicial Magistrate Court No.2, Kulithalai, Karur District.

[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 abscond, 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 Court No.2, Kulithalai, Karur District
- 2.Do through The Chief Judicial Magistrate, Karur.
- 3.The Inspector of Police,Nangavaram Police Station,Karur District.
- 4.The Additional Public Prosecutor,Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.8408 of 2025
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