



CRL OP(MD)No.8544 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.8544 of 2025

1.Guna

2.Sanjay Gandhi

... Petitioners/  
Accused Nos.3 & 4

Vs

The State represented by  
The Inspector of Police,  
Thiruvaiyaru Police Station,  
Thanjavur District.  
(Crime No.98 of 2025)

... Respondent/  
Complainant

For Petitioners : Mr.M.Prabhu

For Respondent : Mr.B.Thangaaravindh

Government Advocate (Crl.Side)



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :-

For Anticipatory Bail in Cr.No.98 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused Nos.3 & 4, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 303(2) of BNS Act., (379 of IPC) & Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.98 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had illegally transported four bags of river sand in a two-wheeler bearing Registration No.TN-49-BC-6256. Hence, the complaint.

3. The learned Counsel for the petitioners would submit that the petitioners are innocent person and have not committed any offence as alleged by the prosecution and that they have been falsely implicated in this case. He therefore prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the first petitioner is arrayed as A-3 and the



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second petitioner is arrayed as A-4 and there are two previous cases pending against A-3.

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5. Considering the facts and circumstances of the case and also considering the quantity of minerals involved, this Court is inclined to enlarge the petitioners on anticipatory bail 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, Thiruvaiyaru on condition that the petitioner shall execute a 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 Aadhar card or Bank Pass Book to ensure their identity.

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



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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

JBR  
TO

1.THE JUDICIAL MAGISTRATE,  
THIRUVAIYARU.

2. DO THROUGH  
THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT @ KUMBAKONAM.



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3. THE INSPECTOR OF POLICE,  
THIRUVAIYARU POLICE STATION,  
THANJAVUR DISTRICT.

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

ORDER  
IN  
CRL OP(MD) No.8544 of 2025  
Date :08/05/2025

HPS/28.05.2025 /5P/5C

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