



CRL OP(MD). No.8663 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.8663 of 2025

1.Sutharsan,
S/o.Elamaran

2.Ilamaran,
S/o.Kuppusamy

... Petitioners/ A2 & A3

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
(Crime No.117 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.Susikumar.C.,
Advocate

For Respondent : Mr.M.Karunanithi,
Government Advocate
(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-

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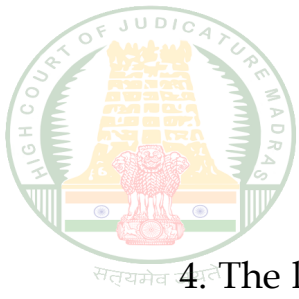
For Anticipatory Bail in Crime No.117 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A2 & A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) and 132 of BNS, 2023 r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.117 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused illegally transported one unit of savudu sand by using Mahindra Bolero vehicle bearing Registration No.TN-65-AT-7365. Hence, a case has been registered.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, and are in no way connected with the alleged occurrence as stated by the prosecution. They have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.



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4. The learned Government Advocate (Crl. side) submitted that the petitioners have been arrayed as A2 and A3 in this case. A1 was arrested and subsequently released on bail on 21.05.2025 by this Court in Crl.O.P.(MD)No.8845 of 2025. He further submitted that entire properties have been recovered. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and considering the quantity of minerals involved, and also taking note of the fact that entire properties have been recovered, and that the co-accused has been arrested and subsequently released on bail by this Court, this court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on 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.I, Ramanathapuram, on condition that the petitioners 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



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to arrest or to the satisfaction of the learned Judicial Magistrate No.I,
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Ramanathapuram, 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 deposit a sum of Rs.5,000/- (Rupees Five Thousand
only) each to the credit of the District Mineral Foundation Trust, Ramanathapuram
District as Non-refundable deposit and on such deposit being made, the learned
Judicial Magistrate No.I, Ramanathapuram shall accept the sureties furnished by the
petitioners;

(c) the petitioners shall furnish their residential address and mobile number to
the learned Judicial Magistrate No.I, Ramanathapuram. In the event of any change
in their residential address, the petitioners shall report the same to the learned
Judicial Magistrate No.I, Ramanathapuram;

(d) the petitioners shall report before the respondent police daily at 10.30 a.m.,



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until further orders;

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(e) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioners shall not abscond either during investigation or trial;

(g) 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] and;

(h) if the accused/petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
25/06/2025

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/07/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO
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- 1.The Judicial Magistrate No.I,
Ramanathapuram.
2. Do Through The Chief Judicial Magistrate,
Ramanathapuram District.
- 3.The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy To
The Officer Incharge,
The District Mineral Foundation Trust,
Ramanathapuram District.

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-6885[I] dated 27/06/2025)

ORDER
IN

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Date :25/06/2025

HPS/14.07.2025 /6P/7C

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