



CRL OP(MD)No.8709 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD)No.8709 of 2025

Sakthivel
S/o.Kumaraiya

... Petitioner/ Accused Rank Not Known

Vs

The State rep. by,
The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
(Crime No.92 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.Muniyandi
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.92 of 2025 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under section 305(e) of BNS and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.92 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally transported 3/4 unit of river sand. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) submits that the petitioner is arrayed as sole accused and he illegally transported 3/4 unit of river sand without any valid permission. He further submitted that the petitioner is having four previous cases, in which one case is similar in nature. Hence, he objected to grant anticipatory bail to the petitioner. However, he fairly concedes that the properties have also been recovered.

5. Considering the facts and circumstances of the case and also considering the fact that the properties have also been recovered, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate Court, Kadaladi, Ramanathapuram District, on condition that the petitioner shall execute a 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 Judicial Magistrate Court, Kadaladi, Ramanathapuram District, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioner 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 petitioner shall deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** before the District Mineral Foundation Trust, Ramanathapuram District as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Kadaladi, Ramanathapuram District shall accept the sureties furnished by the petitioner;

(c) the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate, Kadaladi, Ramanathapuram District. In the event of



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any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Kadaladi, Ramanathapuram District;

(d) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

(f) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]* and;

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

sd/-
13/06/2025

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/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

1 THE JUDICIAL MAGISTRATE,
KADALADI,
RAMANATHAPURAM DISTRICT.

2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3 THE INSPECTOR OF POLICE,
SAYALKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.92 OF 2025)

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

5 THE DISTRICT MINERAL FOUNDATION TRUST,
RAMANATHAPURAM DISTRICT.

+1. CC to S.MUNIYANDI Advocate SR.No.6379 (I) DT.17/06/2025

ORDER
IN

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Date :13/06/2025

NM/24.06.2025 5P/7C

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