



CRL OP(MD).No.8732 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

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1.Dhanush
S/o.Ramesh

2.Dinesh
S/o.Ponnusamy

... Petitioners/ Accused Nos.1 & 2

Vs

The State rep. by
The Inspector of Police,
Kattuputhur Police Station,
Kattuputhur,
Trichy District.
(Crime No.166 of 2025)

... Respondent/Complainant

For Petitioners : Mr.K.Arunraj
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.166 of 2025 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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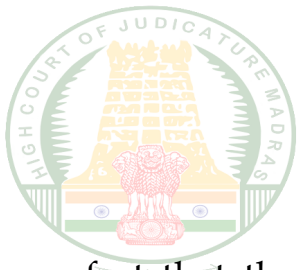
The petitioners/Accused Nos.1 & 2, who apprehend arrest at the hands of the respondent police for the offences punishable under section 303(2) of BNS r/w Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.166 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have illegally transported 1/2 unit of river sand by using Bolero Pickup Van. Hence, a case has been registered.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and also a false case has been foisted against them. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submits that the petitioners have illegally transported 1/2 unit of river sand without any valid permission. He further submitted that the petitioners are having four previous cases, in which one case is similar in nature. Hence, he objected to grant anticipatory bail to the petitioners. However, he fairly concedes that the properties have also been recovered.

5. Considering the facts and circumstances of the case and also considering the



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fact that the properties have also been recovered, this Court is inclined to grant
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anticipatory bail to the petitioners, with 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, Thottiyam, 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 to arrest or to the satisfaction of the learned Judicial Magistrate, Thottiyam, 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** before the District Mineral Foundation Trust, Trichy District as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Thottiyam, shall accept the sureties furnished by the petitioners;

(c) the petitioners shall furnish their residential address and contact number to the learned Judicial Magistrate, Thottiyam. In the event of any change in their



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residential address, the petitioners shall report the same to the learned Judicial
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Magistrate, Thottiyam;

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

(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 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/petitioners 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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VSD
TO

1 THE JUDICIAL MAGISTRATE,
THOTTIYAM, TRICHY.

2 THE CHIEF JUDICIAL MAGISTRATE.
TRICHY.

3 THE INSPECTOR OF POLICE,
KATTUPUTHUR POLICE STATION,
KATTUPUTHUR,
TRICHY DISTRICT.
(CRIME NO.166 OF 2025)

4 THE DISTICT MINERAL FOUNDATION TRUST,
TRICHY DISTRICT.

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

+1. CC to M/S. ARUNRAJ.K Advocate SR.No.6356 (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