



CRL OP(MD). No.9306 of 2025

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

Date : 17/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9306 of 2025

Vijayakumar,
S/o.Muthusamy

... Petitioner/ A7

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Karur Town Police Station,
Karur District.
(Crime No.166 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.U.Antony Santhosh,
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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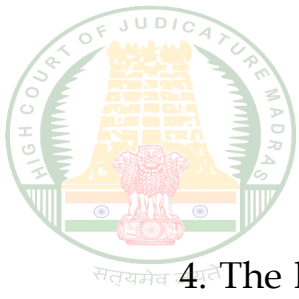
For Anticipatory Bail in Crime No.166 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A7, who apprehends arrest at the hands of the respondent police for the offences punishable under section 303(2) of BNS, 2023 r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.166 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused have illegally transported 4 units of river sand by using a lorry. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submits that this is the second anticipatory bail application filed before this Court. The petitioner is merely the owner of the vehicle. He has been implicated in this case solely based on the confession of the co-accused. The petitioner has not committed any offence as alleged by the prosecution. He further submits that the petitioner is 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) submits that there are totally seven accused persons in this case and the petitioner has been arrayed as A7. A1 to A3 have been arrested and subsequently released on bail. A4 to A6 are still absconding. He further submits that there are six previous cases against the petitioner, out of which two cases are of a similar nature, and the properties have been recovered. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

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 properties have been recovered, and that the co-accused have already been arrested and subsequently released on bail, and that as the date of occurrence is 26.02.2025, by this time most of the investigation might have been completed, and that the custodial interrogation of the petitioner is not necessary in this case, this court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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



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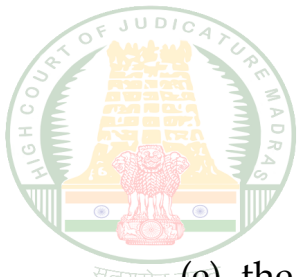
the order copy made ready, before the learned Judicial Magistrate No.I, Karur, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.I, Karur, 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.25,000/- (Rupees Twenty Five Thousand only) to the credit of the District Mineral Foundation Trust, Karur District as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate No.I, Karur shall accept the sureties furnished by the petitioner;

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

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



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सत्यमेव जयते (e) the petitioner shall not tamper with evidence or witness either during
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(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/-
17/06/2025

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/07/2025

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

MKN

TO

1.THE JUDICIAL MAGISTRATE NO.I,
KARUR.

<https://www.mhc.tn.gov.in/judis>



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2. THE CHIEF JUDICIAL MAGISTRATE
KARUR.

3. THE OFFICER INCHARGE,
THE DISTRICT MINERAL FOUNDATION TRUST, KARUR.

4. THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION,
KARUR DISTRICT.

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

+2 CC to M/s.U.ANTONY SANTHOSH, Advocate (SR-6493[I] dated 19/06/2025)

ORDER

IN

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Date :17/06/2025

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