



CRL OP(MD). No.8816 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.8816 of 2025

Kanagaraj,
S/o.Kathiresan

... Petitioner/ A6

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Elanjambur Police Station,
Ramanathapuram District.
(Crime No.37 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.D.Balamurugapandi,
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.37 of 2025 on the file of the Respondent Police.



CRL OP(MD). No.8816 of 2025

WEB COPY ORDER: The Court made the following order :-

The petitioner/ A6, who apprehends arrest at the hands of the respondent police for the offences punishable under section 303(2) of BNS r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.37 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 06.05.2025 at 6.00 a.m., when the de-facto complainant and the respondent police were on routine check up, they found the petitioner and the other accused were digging sand using Lorries and TATA Hitachi vehicle in a patta land. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person, and is no way connected with the alleged occurrence, and he is only lending his vehicle for agricultural purposes to eke out his livelihood. He further submits that there is no previous antecedent against the petitioner. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submits that the petitioner has been arrayed as A6 in this case, and the vehicles involved in the crime were seized, and accused Nos.1 to 5 have been arrested and subsequently released on bail. He further submits that there is no previous antecedent against the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the



CRL OP(MD). No.8816 of 2025

nature of the offence, and considering the fact that the properties have been recovered, and taking into account of the fact that the co-accused have been arrested and released on bail, and also considering the fact that there is no previous case against the petitioner, this court is inclined to grant anticipatory bail to the petitioner, with 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 the order copy made ready, before the Judicial Magistrate, Mudukulathur, Ramanathapuram District, 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 Judicial Magistrate, Mudukulathur, 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 report before the respondent police daily at 10.30 a.m. for a period of thirty days and thereafter, as and when required for the interrogation;

(c) the petitioner shall not tamper with evidence or witness either during



CRL OP(MD). No.8816 of 2025

investigation or trial;

(d) the petitioner 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 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;

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

sd/-
03/06/2025

/ TRUE COPY /

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

MKN
TO

1 THE JUDICIAL MAGISTRATE,
MUDUKULATHUR, RAMANATHAPURAM DISTRICT.

2.CHEIF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3 THE INSPECTOR OF POLICE
ELANJAMBUR POLICE STATION,
RAMANATHAPURAM DISTRICT.



CRL OP(MD). No.8816 of 2025

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

+1. CC to D BALAMURUGAPANDI Advocate SR.No.5877 (I) DT.03/06/2025

ORDER
IN

CRL OP(MD) No.8816 of 2025
Date :03/06/2025

NM/09.06.2025 5P/6C

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