



CRL OP(MD)No.8810 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.05.2025

PRESENT

The HONOURABLE MR.JUSTICE P. VADAMALAI

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1. Palani

2. Indira

... Petitioners/
Accused Nos.1 & 2

Vs

The State of Tamil Nadu represented by
The Inspector of Police,
S.P.Pattinam Police Station,
Ramanathapuram District.
(Crime No.43 of 2025)

... Respondent/
Complainant

For Petitioners: Mr.A.Arputharaj

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS
PRAYER :-

For Anticipatory Bail in Cr.No.43 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 303(2) of BNS, 2023, r/w. 21(4) of



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Mines and Minerals Act, 1957, in Crime No.43 of 2025, seek anticipatory bail.

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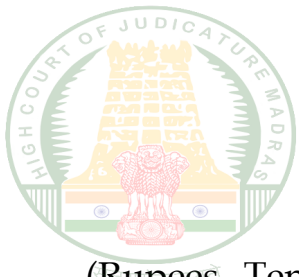
2. The case of the prosecution is that the petitioners have illegally transported one unit of savudu sand in their Tractor vehicle without any valid permission. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the first petitioner / A-1 has already been arrested and that the second petitioner / A-2 has no previous case pending against him.

5. Considering the nature of allegation in this case and also considering the antecedent of the second petitioner, this Court is inclined to grant anticipatory bail to the second petitioner. Since the first petitioner is arrested, this petition is dismissed as against him.

6. Accordingly, this Petition is partly allowed and the second petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Thiruvadanai, Ramanathapuram District, on condition that the second petitioner shall execute a bond for a sum of Rs.10,000/-



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(Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the second 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 second petitioner shall make a non refundable deposit of Rs.3,000/- (Rupees Three Thousand only) to the credit of the Chairman/District Collector, District Mineral Foundation Trust of the concerned District, without prejudice to his defence before the trial Court and produce the acknowledgment at the time of executing bond;

(c) the second petitioner shall report before the respondent police daily at 10.30 a.m for a period of 30 days and thereafter, as and when required for interrogation;

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

(e) the second petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the second petitioner in



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accordance with law as if the conditions have been imposed and the second
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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;

(g)if the accused thereafter absconds, a fresh FIR can be registered under
Section 269 of BNS 2023.

sd/-
22/05/2025

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/05/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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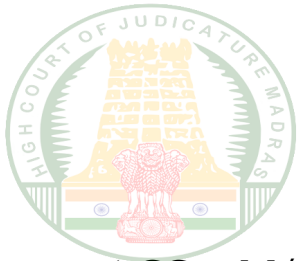
1 THE JUDICIAL MAGISTRATE, THIRUVADANAI,
RAMANATHAPURAM DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
S.P.PATTINAM POLICE STATION, RAMANATHAPURAM DISTRICT.

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

5 THE CHAIRMAN/DISTRICT COLLECTOR, DISTRICT MINERAL
FOUNDATION TRUST, RAMANATHAPURAM DISTRICT.



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+1 CC to M/s.A.ARPUTHARAJ, Advocate (SR-5721[I] dated 22/05/2025)

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ORDER

IN

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Date :22/05/2025

NBF/29.05.2025 5P/7C

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