



CRL OP(MD)No.8902 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD)No.8902 of 2025

Vijayakanth @ Vijayakumar,
S/o.Kaliyamoorthy

...Petitioner/ Accused No.1

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Budalur Police Station,
Thanjavur District.
(Crime No.76 of 2025)

... Respondent/Complainant

For Petitioner : Mr.A.Sivasubramanian
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



CRL OP(MD)No.8902 of 2025

PRAYER :-

For Anticipatory Bail in Crime No.76 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, 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.76 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 06.05.2025, the petitioner and the other accused had illegally transported ½ 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.

4. The learned Government Advocate (Crl.side) submits that the petitioner/Accused No.1 along with Accused No.2 have illegally transported ½ unit of river sand. He further submits that the petitioner is having 17 previous cases and



CRL OP(MD)No.8902 of 2025

Accused No.2 is still absconding. Hence, he opposed 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 taking into account of the fact that as the date of occurrence is 06.05.2025, by this time most of the investigation would have been completed, and also considering the fact that the entire properties have already been recovered, this Court is inclined to enlarge the petitioner on anticipatory bail.

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 learned Judicial Magistrate, Thiruvaiyaru, 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, Thiruvaiyaru, 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



CRL OP(MD)No.8902 of 2025

card or Bank pass Book to ensure their identity;

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(b) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District;

(c) the petitioner shall deposit a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** to the credit of *the District Mineral Foundation Trust, Thanjavur District* as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Thiruvaiyaru shall accept the sureties furnished by the petitioner;

(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;



CRL OP(MD)No.8902 of 2025

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

sd/-
10/06/2025

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/06/2025

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

VSD

TO

1 THE JUDICIAL MAGISTRATE
THIRUVAIYARU, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
BUDALUR POLICE STATION,
THANJAVUR DISTRICT.

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

COPY TO:

THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
THANJAVUR DISTRICT.

ORDER
IN

CRL OP(MD) No.8902 of 2025
Date :10/06/2025

SS/SAR- /18/06/2025/ 5P/6C

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