



CRL OP(MD)No.8911 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.05.2025

PRESENT

The HONOURABLE MR.JUSTICE P. VADAMALAI

CRL OP(MD)No.8911 of 2025

Selvakumar

... Petitioner/
Accused

Vs

The State of Tamil Nadu represented by
The Inspector of Police,
Thirupparangundram Police Station
Madurai District.
(Crime No.25 of 2022)

... Respondent/
Complainant

For Petitioner : Mr.K.Sheenivasan

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



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

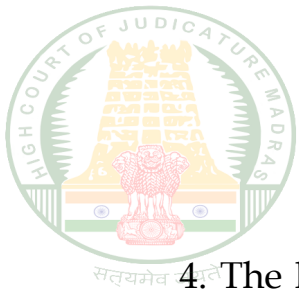
For Anticipatory Bail in Cr.No.25 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 379 of IPC and Sections 21(1) and 21(4) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.25 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused, illegally transported sand using four lorries and a JCB vehicle without valid permission. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been arrayed as A-7, but it has been wrongly mention as A-1 in the petition.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the co-accused have been arrested and released on bail.

5. Considering the facts and circumstances of the case and also considering the fact that the co-accused have already been granted bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the 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 Special Court (Mines and Minerals), Madurai District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (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 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 make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Chairman/District Collector, District Mineral Foundation Trust of the concerned District, without prejudice to his defence



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before the trial Court and produce the acknowledgment at the time of executing
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bond;

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

(e)the 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 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;

(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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/06/2025

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

JBR



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TO
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1. THE SPECIAL JUDGE
(MINES AND MINERALS), MADURAI DISTRICT.

2. THE INSPECTOR OF POLICE,
THIRUPPARANGUNDRAM POLICE STATION
MADURAI DISTRICT.

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

COPY TO:
THE CHAIRMAN/DISTRICT COLLECTOR,
DISTRICT MINERAL FOUNDATION TRUST,
MADURAI DISTRICT.

ORDER
IN
CRL OP(MD) No.8911 of 2025
Date :22/05/2025

HPS/03.06.2025 /5P/5C

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