



CRL OP(MD). No.8993 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/05/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.8993 of 2025

1. Sankar
2. Ilayaraja

... Petitioners/ Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thirukattupalli Police Station,
Thanjavur District.
Crime No.106 of 2025.

... Respondent/ Complainant

For Petitioners : Mr.R.L.Dhilipan Pandian
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.106 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

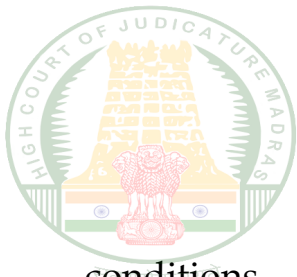
The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under section 303(2) of BNS r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.106 of 2025 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners have illegally transported half unit of river sand by using white colour Belero Maxx Pik-up. Hence, a case has been registered.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and a false case has been foisted against them. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl side) would submit that the petitioners have illegally transported half unit of river sand, and hence he objected to grant anticipatory bail to the petitioner. However, he fairly concedes that the first petitioner/A1 has one previous case which is not similar in nature.

5. Taking into consideration of the facts and circumstances of the case and also the fact that no previous case is pending against the petitioners similar in nature, this court is inclined to grant anticipatory bail to the petitioners, with certain



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conditions.

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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioners 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 petitioners shall make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand only) each to the Chairman/District Collector, District Mineral Foundation Trust of the concerned District, and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioners;

(c) the petitioners 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;



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

(e)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
21/05/2025

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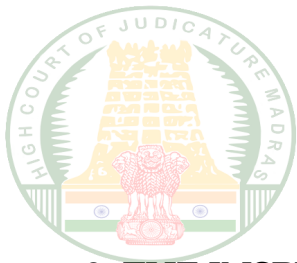
/06/2025

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

APD
TO

1. THE JUDICIAL MAGISTRATE,
THIRUVAIYARU, THANJAVUR.

2.DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT.



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

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

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

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-5747[I] dated 23/05/2025)
ORDER
IN
CRL OP(MD) No.8993 of 2025
Date :21/05/2025

HPS/04.06.2025 /5P/7C

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