



CRL OP(MD). No.9022 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.9022 of 2025

1. Vimalnath

2. Rajesh @ Mankottai Rajesh

... Petitioners/ Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
Crime No.90 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.90 of 2025 on the file of the Respondent Police.



CRL OP(MD). No.9022 of 2025

ORDER: The Court made the following order :-

WEB COPY

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.90 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 1/4 unit of river sand by using a two-wheeler. Hence, a case has been registered.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and the petitioners have not committed any offence as alleged by the prosecution and also 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 1/4 unit of river sand and the first petitioner/A1 has four previous cases and the second petitioner/A2 has two previous cases, which are similar in nature. Hence, he objected to grant anticipatory



CRL OP(MD). No.9022 of 2025

bail to the petitioner.

WEB COPY

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence and also considering the quantity of river sand, this court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

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.10,000/- (Rupees Ten Thousand only) each to the Chairman/District Collector, District



CRL OP(MD). No.9022 of 2025

Mineral Foundation Trust of the concerned District, and on such deposit being
WEB COPY
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;

(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

/ TRUE COPY /

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



CRL OP(MD). No.9022 of 2025

APD
WEB COPY

TO

1. THE JUDICIAL MAGISTRATE,
THIRUVAIYARU, THANJAVUR.

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

3. THE INSPECTOR OF POLICE,
THIRUVAIYARU 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-5744[I] dated 23/05/2025)

ORDER

IN

CRL OP(MD) No.9022 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