



CRL OP(MD). No.9074 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.05.2025

PRESENT

THE HONOURABLE MS. JUSTICE R.POORNIMA

CRL OP(MD). No.9074 of 2025

Sakthi @ Sakkaian

... Petitioner/ Accused

Vs

State of Tamilnadu

Rep. by the Inspector of Police,
Sivakasi East Police Station,
Virudhunagar District.
(Crime No. 349 of 2025).

... Respondent/ Complainant

For Petitioners : Mr. S. Muniyandi,
Advocate.

For Respondent : Mrs.M.Aasha
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 349 of 2025 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A1, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 303(2), 351(2) of BNS and Section 21



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(1) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime
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No.349 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on information, on 19.05.2025, when the defacto complainant was conducting ride, they found that the accused persons illegally loaded gravel sand in a tipper lorry bearing registration No.TN-88-L-0401, with the help of a JCB, bearing registration No.TN-67-AK-3502, without proper permission or licence. Upon seeing the Officers, the driver of the lorry fled away from the place of occurrence with lorry and felt down the gravel sand on the way in order to cause disturbance to the police. However, the said JCB was seized. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not involved in this offence and also a false case has been foisted against the petitioner. Hence, he prayed to allow this petition.

4. The learned Government Advocate (Crl. Side) for the respondent police also admitted that totally two accused in this case out of which one named accused and one unnamed accused and the petitioner is the owner of the tipper lorry and also the property was not recovered. She further submitted that the very same petitioner filed anticipatory bail application before the Principal District and Sessions Court, Srivilliputhur and the same is posted on 29.05.2025. By suppressing the said fact, he filed this petition also. Hence, she strongly opposed to allow this petition.



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5. Heard both sides and perused the records.

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6. It is generally expected that an accused person first seek bail before the Trial Court before approaching the High Court in order to ensure a hierarchical approach. However, the petitioner suppressed the pendency of the bail application before the Trial Court and also falsely stated that no bail application is pending, which leads to serious consequences. This amounts to concealment of material facts and this Court draws negative inference against the petitioner, who has been suppressing such information.

7. Hence, this Criminal Original Petition is dismissed and a cost of Rs.25,000/- is imposed on the petitioner. The amount shall be paid to the credit of the Chairman/District Collector, District Mineral Foundation Trust, Virudhunagar District, within 15 days from the date of this order, failing which the petitioner shall face criminal proceedings for the concealment of material information.

sd/-
28/05/2025

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



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APD जयदे

TO WEB COPY

1 THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.

2 THE CHAIRMAN / DISTRICT COLLECTOR,
DISTRICT MINERAL FOUNDATION TRUST,
VIRUDHUNAGAR DISTRICT.

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

ORDER IN
CRL OP(MD) No.9074 of 2025
Date :28/05/2025

SA/SAR. /02.06.2025/4P/4C

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