



CRL OP(MD). No.9094 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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(Criminal Jurisdiction)

Date : 17/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9094 of 2025

Thiruvanantha Perumal,
S/o.Chellathurai

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Jayamangalam Police Station,
Theni District.
(Crime No.40 of 2025)

... Respondent/ Complainant

For Petitioner : M/s.S.Prabha,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.40 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 r/w. Section 303(2) of BNS, 2023 r/w. Section 4(a) of the Explosive Substances Act, 1908 in Crime No.40 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 03.03.2025, at about 9.00 a.m., when the de-facto complainant, Village Administrative Officer, was on patrol duty on Kullappuram to Viralipatti road, he found that the petitioner and other accused persons were illegally using explosives and stealing minerals from the 8th accused's land, comprised in Survey No.2526/2A and nearby Government poramboke land, comprised in Survey No.2529/1. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person, and is in no way connected with the alleged occurrence as stated by the prosecution. He further submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submits that there are totally 10 accused persons in this case and the petitioner has been arrayed as A10. A1 has been granted anticipatory bail by this Court, and A2 to A9 have been arrested and subsequently released on bail. He further submits that the properties have been



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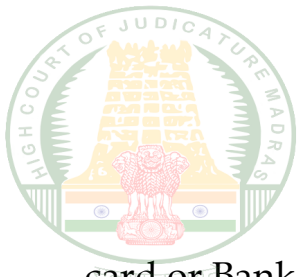
recovered. Hence, he opposed to grant anticipatory bail to the petitioner.

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5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and also taking note of the fact that the properties have been recovered, and that as the date of occurrence is 03.03.2025, by this time most of the investigation might have been completed, and that one of the co-accused has been granted anticipatory bail by this Court, and the other co-accused have been arrested and subsequently released on bail, this court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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 No.II, Periyakulam, Theni District, 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 No.II, Periyakulam, Theni District, 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



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card or Bank pass Book to ensure their identity;

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(b) the petitioner shall deposit a sum of **Rs.30,000/- (Rupees Thirty Thousand only)** to the credit of *the District Mineral Foundation Trust, Theni District* as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate No.II, Periyakulam, Theni District shall accept the sureties furnished by the petitioner;

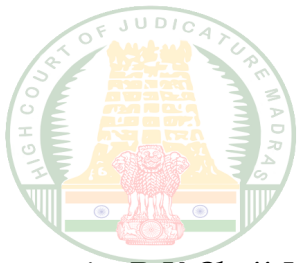
(c) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Periyakulam, Theni District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Periyakulam, Theni District;

(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



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in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]* and;

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

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

MKN

TO

1 THE JUDICIAL MAGISTRATE NO.II,
PERIYAKULAM,
THENI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 THE OFFICER INCHARGE,
THE DISTRICT MINERAL FOUNDATION TRUST,
THENI DISTRICT.

4 THE INSPECTOR OF POLICE,
JAYAMANGALAM POLICE STATION,
THENI DISTRICT.

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

5/6



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ORDER
IN
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Date :17/06/2025

NM/03.07.2025/ 6P/7C

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