



CRL OP(MD). No.9089 of 2025

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

Date : 02/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9089 of 2025

Senthilkumar

... Petitioner/ Accused

Vs

State of Tamilnadu
Rep by Inspector of Police, Sivagangai,
Kalaiyarkovil Police Station
Sivagangai District.
(Crime No. 270 of 2025).

... Respondent/Complainant

For Petitioner : Mr. R.Rajesh
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.270 of 2025 on the file of the respondent Police.



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ORDER: The Court made the following order :-

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The petitioner / accused No.3, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 303(2) of BNS r/w. Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.270 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on receiving a secret information, the respondent - Police conducted a vehicle check up and at that time, the petitioner herein and other accused have illegally excavated and transported 1 unit of gravel sand from the patta land by using a Tractor bearing Regn.No. TN 65 AW 3643 and JCB bearing Regn.No.TN 63 BR 2437. Hence, a case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl side) appearing for the respondent - Police submitted that there are 6 previous cases pending against the petitioner, out of which, two cases are similar in nature. He further submitted that both the minerals and vehicles were seized from the petitioner and the co-accused have already been arrested and released on bail. He further submitted that the



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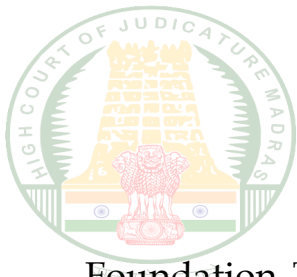
investigation of the case is still pending and hence, he prays to dismiss this Criminal
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Original Petition.

5. Taking into consideration of the facts and circumstances of the case and also the fact that both the minerals and vehicles were seized by the respondent – Police and that the co-accused have already been released on bail, this court is inclined to grant anticipatory bail to the petitioner, with 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 is made ready, before the learned Judicial Magistrate No.I, Sivagangai, 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 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 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.10,000/- (Rupees Ten Thousand only) to the Chairman/District Collector, District Mineral



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Foundation Trust of the concerned District, and on such deposit being made, the
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learned Judicial Magistrate shall accept the sureties furnished by the petitioner;

(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;

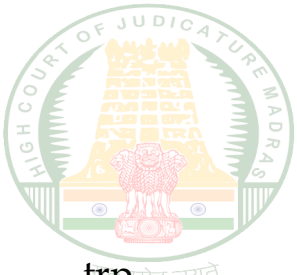
(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial
Court is entitled to take appropriate action against the petitioner in accordance with
law as if the conditions have been imposed and the petitioner released on bail by the
learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court
in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]* and;

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

sd/-
02/06/2025

/ TRUE COPY /

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



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trp
TO
WEB COPY

1 THE JUDICIAL MAGISTRATE NO.1
SIVAGANGAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3. THE INSPECTOR OF POLICE, SIVAGANGAI,
KALAIYARKOVIL POLICE STATION
SIVAGANGAI DISTRICT.

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

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

+1. CC to MR.R.RAJESH Advocate SR.No.5891 (I) DT.04/06/2025

ORDER
IN
CRL OP(MD) No.9089 of 2025
Date :02/06/2025

NM/09.06.2025 5P/7C

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