



CRL OP(MD). No.9159 of 2025

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

Date : 02/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Muthukumar

... Petitioner/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
S.V.Mangalam Police Station,
Sivagangai District.
Crime No.45 of 2025.

... Respondent/ Complainant

For Petitioner : Mr.B. Senthilnathan
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.45 of 2025 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / accused, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 303(2), 324(4) of BNS,



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2023 r/w. Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No. 45 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein along with other accused have illegally excavated and transported 2 units of river sand by using a Lorry bearing Regn.No.TN 55 Y 1188 Ashok Leyland. 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 is no previous case pending against the petitioner and both the minerals and Lorry were seized from the petitioner. He further submits that the investigation of the case is still pending and hence, he prays to dismiss this Criminal Original Petition.

5. Taking into consideration of the facts and circumstances of the case and also the fact that there is no previous case pending against the petitioner and that both the minerals and Lorry were seized by the respondent – Police, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions:



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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, Singampuneri 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.30,000/- (Rupees Thirty Thousand only) to the M.S.Chellamuthu Trust and Research Foundation, Current Account No.11194450660, IFSC Code No.SBIN0001479, MICR No.625002006 in the State Bank of India, Vinayaganagar Branch No.8, Dr.Ambedkar Road, Madurai – 20 and on such deposit being made, the 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;



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सत्यमेव जयते (d)the petitioner shall not tamper with evidence or witness either during
WEB COPY 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.

TRP
TO

1 THE JUDICIAL MAGISTRATE,
SINGAMPUNERI

2 DO -
THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.



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3 THE INSPECTOR OF POLICE,
S.V. MANGALAM POLICE STATION,
SIVAGANGAI DISTRICT.

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

COPY TO
THE OFFICER INCHARGE
M.S.CHELLAMUTHU TRUST AND RESEARCH FOUNDATION,
MADURAI

ORDER
IN
CRL OP(MD) No.9159 of 2025
Date :02/06/2025

NM/09.06.2025 5P/6C

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