



CRL OP(MD). No.9312 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9312 of 2025

Sebastin,
S/o.Amirtham

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Lalgudi Police Station,
Trichy District.
(Crime No.408 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.T.Leninkumar,
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.408 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A2, who apprehends arrest at the hands of the respondent police



CRL OP(MD). No.9312 of 2025

for the offences punishable under section 303 of BNS r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.408 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 31.08.2024, the petitioner and the other accused had illegally transported 6 bags of river sand. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submits that this is the third application for anticipatory bail. Earlier applications for anticipatory bail were dismissed by this Court on 09.09.2024 and 11.03.2025. He further submits that the petitioner is an innocent person, and the allegation levelled against the petitioner in the First Information Report is false, and he is only the owner of the two-wheeler. Only on the confession of the co-accused, he has been implicated in this case. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submits that the petitioner has been arrayed as A2 in this case, and accused No.1 has been arrested and subsequently released on bail by the Sessions Court, Trichy. He further submits that there are 10 previous cases of a similar nature against the petitioner. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the



CRL OP(MD). No.9312 of 2025

nature of the offence, and considering the fact that even after dismissal of earlier application for anticipatory bail, the respondent police has not secured the petitioner/A2 till date, and taking into account of the fact that the co-accused has been arrested and released on bail, and also considering the fact that as the date of occurrence is 31.08.2024, by this time most of the investigation would have been completed, 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 made ready, before the Judicial Magistrate, Lalgudi, 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 Judicial Magistrate, Lalgudi, 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 deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand



CRL OP(MD). No.9312 of 2025

only) to the credit of the District Mineral Foundation Trust, Trichy District as Non-
WEB COPY refundable deposit and on such deposit being made, the learned Judicial Magistrate,
Lalgudi shall accept the sureties furnished by the petitioner.

(c) the petitioner shall report before the respondent police daily at 10.30 a.m.,
until further orders;

(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;

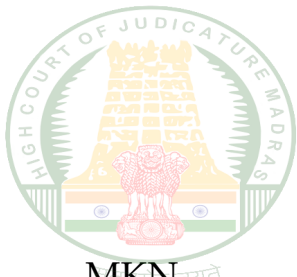
(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial
Court is entitled to take appropriate action against the petitioner in accordance with
law as if the conditions have been imposed and the petitioner released on bail by the
learned Magistrate/Trial Court himself as laid down 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 abscond, a fresh FIR can be registered
under Section 269 of BNS, 2023.

sd/-
05/06/2025

/ 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.9312 of 2025

MKN जयदे

WEB COPY

TO
1 THE JUDICIAL MAGISTRATE,
LALGUDI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
LALGUDI POLICE STATION,
TRICHY DISTRICT.

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

COPY TO:
THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
TRICHY DISTRICT.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-5978[I] dated 06/06/2025)

ORDER

IN

CRL OP(MD) No.9312 of 2025

Date :05/06/2025

SA/SAR. /10.06.2025/5P/7C

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