



CRL OP(MD). No.9184 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

(Criminal Jurisdiction)

Date : 04/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9184 of 2025

Senthilkumar,
S/o.Muthusamy

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
(Crime No.204 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.Pugalendhi,
Advocate

For Respondent : Mr.S.Prakash,
Government Advocate
(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.204 of 2025 on the file of the Respondent Police.



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WEB COPY ORDER: The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under section 303(2) of BNS r/w. Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.204 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally transported 1/2 unit of river sand by using tractor. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person, and has not committed any offence as alleged by the prosecution. When the petitioner had parked his tractor in his house, at that time, the respondent police seized the Tractor, which contains no sand, and intentionally lodged the complaint against the petitioner. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submits that the petitioner has illegally transported 1/2 unit of river sand, and there is no previous case against the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and taking into account of the fact that there is no previous case against the petitioner, this court is inclined to grant anticipatory bail to the



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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 made ready, before the learned District Munsif cum Judicial Magistrate, Ilayankudi, Sivagangai 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 District Munsif cum Judicial Magistrate, Ilayankudi, Sivagangai 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 card or Bank pass Book to ensure their identity;

(b) the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) before the District Mineral Foundation Trust, Sivagangai District as Non-refundable deposit and on such deposit being made, the learned District Munsif cum Judicial Magistrate, Ilayankudi, Sivagangai District shall accept the sureties furnished by the petitioner.

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



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until further orders;

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(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/-
04/06/2025

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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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TO
WEB COPY

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE,
ILAYANKUDI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

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

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

COPY TO:
THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST, SIVAGANGAI DISTRICT

ORDER
IN

CRL OP(MD) No.9184 of 2025

Date :04/06/2025

NM/09.06.2025 5P/6C

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