



CRL OP(MD). No.9209 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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1.Sundarraaj,
S/o.Govindharaj
2.Mani @ Manikandan,
S/o.Annadurai

... Petitioners/ A1 and A3

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Maraneri Police Station,
Virudhunagar District.
(Crime No.144 of 2025)

... Respondent/Complainant

For Petitioners : Mr.S.M.Anantha Murugan,
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.144 of 2025 on the file of the Respondent Police.

<https://www.mhc.tn.gov.in/judis>



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

The petitioners/ A1 & A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) and 351(2) of BNS, 2023 r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.144 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused have illegally transported 3 units of gravel sand by using a tipper lorry. Hence, a case has been registered.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons, and are in no way connected with the alleged occurrence as stated by the prosecution. They have been falsely implicated in this case. He further submits that the petitioners are 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 four accused persons in this case and the petitioners have been arrayed as A1 and A3. A2 has been arrested and subsequently released on bail. The properties have been recovered. He further submits that the 1st petitioner has three previous cases,



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out of which two cases are of a similar nature, and the 2nd petitioner has one previous case. Hence, he opposed to grant anticipatory bail to the petitioners.

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5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and considering the quantity of minerals involved, and also taking note of the fact that the properties have been recovered, and that the co-accused has been arrested and subsequently released on bail, this court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.I, Sivakasi, Virudhunagar District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, 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.I, Sivakasi, Virudhunagar District, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb



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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;

(b) the petitioners shall deposit a sum of Rs.6,000/- (Rupees Six Thousand only) each to the credit of the District Mineral Foundation Trust, Virudhunagar District as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate No.I, Sivakasi, Virudhunagar District shall accept the sureties furnished by the petitioners;

(c) the petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate No.I, Sivakasi, Virudhunagar District. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate No.I, Sivakasi, Virudhunagar District;

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

(e) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail



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by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble
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Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560] and;

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

sd/-
17/06/2025

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/07/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN

TO

1.THE JUDICIAL MAGISTRATE NO.I,
SIVAKASI, VIRUDHUNAGAR DISTRICT.

2.THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

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

4.THE INSPECTOR OF POLICE,
MARANERI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.S.M.ANANTHA MURUGAN, Advocate (SR-6496[I] dated 19/06/2025)

ORDER
IN
CRL OP(MD) No.9209 of 2025
Date :17/06/2025

PR/01.07 .2025 6P/7C

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