



CRL OP(MD). No.9422 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/06/2025

PRESENT

THE HONOURABLE MS. JUSTICE **R.N.MANJULA**

CRL OP(MD). No.9422 of 2025

Ramamoorthy,
S/o.Senthoorapandi,
Oppilan, Kadaladi,
Ramanathapuram.

... Petitioner/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram.
Crime No.51 of 2025.

... Respondent/ Complainant

For Petitioner : Mr.M.Dinesh Hari Sudarsan,

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.51 of 2025 on the file of the Respondent Police.



CRL OP(MD). No.9422 of 2025

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ORDER : The Court made the following order :-

The petitioner/Accused No.3, who apprehends arrest at the hands of the respondent police for the offences punishable under section 305(e) of BNS Act & Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.51 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 21.03.2025, the respondent police and other officials have conducted routine surveillance, at that time, the petitioner illegally transported 1 unit of river sand by using unregistered Tractor without having any valid permit or licence. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he had not committed any offence as alleged by the prosecution. A false case has been foisted against the petitioner. This petitioner is ready and willing to abide any conditions that may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl.side) would submit that this petitioner illegally transported 1 unit of river sand in a unregistered Tractor without having any valid license or permit. The respondent police seized the property, and hence he objected to grant anticipatory bail to the petitioner. He further submitted



CRL OP(MD). No.9422 of 2025

that one previous case is pending against the petitioner.

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5. Taking into consideration of the facts and circumstances of the case and also the fact that the property was seized by the respondent police, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions:

6. Accordingly, the petitioner is ordered to be released on anticipatory 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 Judicial Magistrate, Kadaladi, 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.5,000/- (Rupees Five Thousand only)** to the credit of the **Chairman/District Collector, District Mineral Foundation Trust of the concerned District**, without prejudice to his defence before the trial Court and produce the acknowledgment at the time of



CRL OP(MD). No.9422 of 2025

executing bond;

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(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 absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
06/06/2025

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



CRL OP(MD). No.9422 of 2025

RMK जयते
TO
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1 THE JUDICIAL MAGISTRATE,
KADALADI.

2 THE CHIEF JUDICIAL MAGISTRATE,
KADALADI.

3 THE INSPECTOR OF POLICE,
SAYALKUDI POLICE STATION,
RAMANATHAPURAM.

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

5 THE CHAIRMAN / DISTRICT COLLECTOR,
DISTRICT MINERAL FOUNDATION TRUST,
RAMANATHAPURAM.

+1. CC to M.DINESH HARI SUDARSAN Advocate SR.No.5986 (I) DT.06/06/2025

ORDER
IN

CRL OP(MD) No.9422 of 2025

Date :06/06/2025

NM/16.06.2025 5P/7C

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