



CRL OP(MD).No.9410 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

(Criminal Jurisdiction)

Date : 13.06.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9410 of 2025

Murugan

... Petitioner / Accused
Rank Not Known

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Moondradaippu Police Station,
Tirunelveli District.
(Crime No.116 of 2025)

... Respondent / Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (BNSS) for Anticipatory Bail in Crime No.116 of
2025 on the file of the respondent police.

For Petitioner : Mr.M.Perumal,
Advocate

For Respondent : Mr.S.Prakash,
Government Advocate



CRL OP(MD).No.9410 of 2025

(Criminal Side)

WEB COPY

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 21(1) and 21(4) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.116 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the complaint was lodged by the Village Administrative Officer of Karnthaneri Village, alleging that on 09.03.2025, the defacto complainant and her assistant visited the government land in Survey No.712 during night hours. At that time, they found that some unknown persons had illegally taken saral sand from the said government poramboke land. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioner. Hence, he seeks anticipatory bail to the petitioners.



CRL OP(MD).No.9410 of 2025

WEB COPY

4. The learned Government Advocate (Criminal Side) would submit that the accused persons had illegally taken saral sand from the government poramboke land. He would further submit that the alleged properties have been seized by the respondent police. He would also submit that there are fifteen previous cases against the petitioner. He would also submit that the investigation is still pending, and therefore, he opposes the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and the nature of the offence allegedly committed by the petitioner also taking into consideration the alleged properties have already been recovered, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nanguneri 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 to the Police Officer, who intends to arrest or



CRL OP(MD).No.9410 of 2025

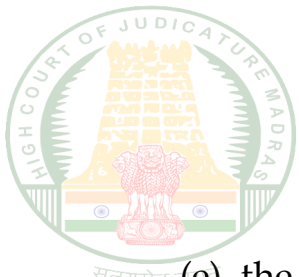
to the satisfaction of the learned Judicial Magistrate, Nanguneri and on further
WEB COPY
conditions that:

(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 furnish his residential address and mobile number to the learned Judicial Magistrate, Nanguneri. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Nanguneri.

[c] the petitioner shall make a non-refundable deposit of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Chairman / District Collector, District Mineral Foundation Trust of the concerned District and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner.

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



CRL OP(MD).No.9410 of 2025

WEB COPY

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(f) the petitioner 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 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].

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

7. In the result, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
13/06/2025

/ TRUE COPY /

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



CRL OP(MD).No.9410 of 2025

WEB COPY

TO

- 1.The Judicial Magistrate,
Nanguneri.
- 2.Do Through The Chief Judicial Magistrate,
Tirunelveli District.
- 3.The Inspector of Police,
Moondradaippu Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To

The Chairman / District Collector,
The District Mineral Foundation Trust,
Tirunelveli District.

+1 CC to M/s.M.PERUMAL, Advocate (SR-6375[I] dated 17/06/2025)

ORDER

IN

CRL OP(MD) No.9410 of 2025

Date :13/06/2025

HPS/04.07.2025 /6P/7C

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