



CRL OP(MD). No.9337 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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1.Subiramaniyan @ Subramanian,
S/o.Velu

2.Murugan,
S/o.Krishnan

... Petitioners/ A1 & A2

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.
(Crime No.255 of 2025)

... Respondent/Complainant

For Petitioners : Mr.S.Srikanth,
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.255 of 2025 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under section 303(2) of BNS, 2023 in Crime No.255 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant received confidential information about the theft of 20 units of gravel sand. It is claimed that the 1st petitioner/A1, who is the Panchayat President of Chockanachiyalpuram Village, unlawfully extracted the gravel sand for laying a tar road, while the 2nd petitioner/A2 stored the remaining sand on his land. Hence, a case has been registered.

3. The learned counsel appearing for the petitioners submits that the 1st petitioner is the Panchayat President of the said village, and the petitioners have not committed any offence as alleged by the prosecution, and the alleged gravel sand was solely used for the public purpose of laying a tar road. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submits that there are totally two accused persons in this case, and there are no previous cases against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

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



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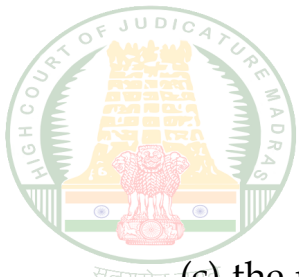
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nature of the offence, and considering the quantity of stolen properties, and also considering the fact that there are no previous case against the petitioners, this court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

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.III, Tirunelveli, 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.III, Tirunelveli, 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 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 petitioners shall make a non refundable deposit of Rs.10,000/- (Rupees Ten Thousand only) each to the credit of the District Mineral Foundation Trust, Tirunelveli District, and on such deposit being made, the learned Judicial Magistrate NO.III, Tirunelveli shall accept the sureties furnished by the petitioners;



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

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

(e) the petitioners 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 petitioners in accordance
with law as if the conditions have been imposed and the petitioners 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/petitioners thereafter abscond, a fresh FIR can be registered
under Section 269 of BNS, 2023.

sd/-
05/06/2025

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/06/2025

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

MKN



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TO
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1.THE JUDICIAL MAGISTRATE NO.III, TIRUNELVELI.

2.THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI

3.THE INSPECTOR OF POLICE,
DEVARKULAM POLICE STATION,
TIRUNELVELI DISTRICT.

4. THE DISTRICT COLLECTOR
DISTRICT MINERAL FOUNDATION TRUST,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.S.SRIKANTH, Advocate (SR-5991[I] dated 06/06/2025)

ORDER
IN

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Date :05/06/2025

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