



CRL OP(MD). No.9716 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Chandra Babu,
S/o.Palaian

... Petitioner/ A3

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Manavalakurichi Police Station,
Kanyakumari District.
(Crime No.54 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Y.Jagadeesh,
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.54 of 2025 on the file of the Respondent Police.



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

The petitioner/ A3, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 303(2) of BNS, 2023 in Crime No.54 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons illegally transported 2 units of sea sand using two Tempo vans. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submits that this is the second anticipatory bail application filed before this Court. The petitioner is an innocent person, and is no way connected with the alleged occurrence as stated by the prosecution. The petitioner has been implicated in this case solely based on the confession of the co-accused. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submits that there are totally four accused in this case and the petitioner has been arrayed as A3. A1 and A2 have been arrested and subsequently released on bail on 04.04.2025 by the learned Principal Sessions Judge, Kanniyakumari District at Nagercoil in Crl.M.P.No.1488 of 2025, and A4 has been granted anticipatory bail by this Court. He further submits



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that the entire properties have been recovered. However, he opposed to grant anticipatory bail to the petitioner.

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5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and taking note of the fact that entire properties have been recovered, and that one of the co-accused has been granted anticipatory bail by this Court and other co-accused have been arrested and subsequently released on bail, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

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 Judicial Magistrate, Eranel, Kanyakumari 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 Judicial Magistrate, Eranel, Kanyakumari District, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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(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;

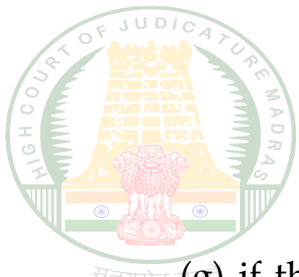
(b) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Eranel, Kanyakumari District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Eranel, Kanyakumari District;

(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;



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

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sd/-
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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,
ERANEL, KANYAKUMARI DISTRICT.

2.THE CHIEF JUDICIAL MAGISTRATE
KANNYAKUMARI DISTRICT AT NAGERCOIL

3.THE INSPECTOR OF POLICE,
MANAVALAKURICHI POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.Y.JAGADEESH, Advocate (SR-6583[I] dated 20/06/2025)

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-6602[I] dated 20/06/2025)

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ORDER

IN

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Date :18/06/2025

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