



CRL OP(MD). No.9577 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
WEB COPY

( Criminal Jurisdiction )

Date : 09/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9577 of 2025

1.Ganeshan,  
S/o.Narayanan

2.Pradeep,  
S/o.Periyasamy

... Petitioners/ A1 & A2

Vs

The State of Tamil Nadu,  
Rep. by, the Inspector of Police,  
Kulithalai Police Station,  
Karur District.  
(Crime No.323 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.Vishnu V.,  
Advocate

For Respondent : Mr.Thanga Aravindh.B,  
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.323 of 2025 on the file of the Respondent Police.



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

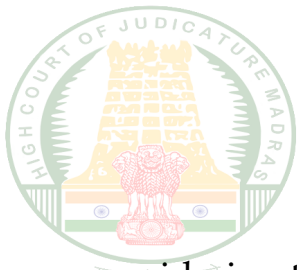
The petitioners/ A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under section 303(2) of BNS, 2023 r/w. Section 21 (1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.323 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have illegally transported 10 gunny bags of river sand by using two 2-wheelers. Hence, a case has been registered.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent and the petitioners have not committed any offence as alleged by the prosecution, and they have been falsely implicated in this case. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submits that the petitioners have illegally transported 10 gunny bags of river sand. Insofar as A1 is concerned, there is one previous case against him, whereas in the case of A2, there is no previous case. He further submits that the entire properties have been recovered. However, he objected to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and considering the quantity of river sand, and also



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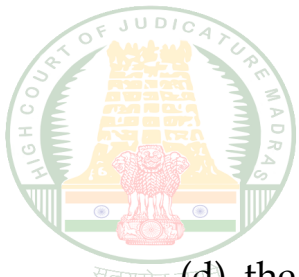
considering the fact that entire properties have been recovered, this court is inclined  
WEB COPY  
to grant anticipatory bail to the petitioners, with certain conditions.

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 Judicial Magistrate Court No.2, Kulithalai, 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 Judicial Magistrate Court No.2, Kulithalai, 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.3,000/- (Rupees Three Thousand only)* each to the credit of *the District Mineral Foundation Trust, Karur District*, and on such deposit being made, the learned Judicial Magistrate No.2, Kulithalai shall accept the sureties furnished by the petitioners;

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



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सत्यमेव जयते (d) the petitioners shall not tamper with evidence or witness either during  
WEB COPY 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.

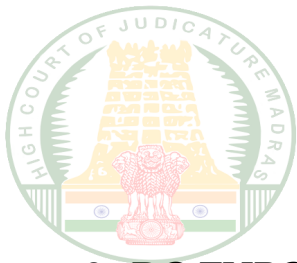
sd/-  
09/06/2025

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

MKN  
TO

1 THE JUDICIAL MAGISTRATE NO.2,  
KULITHALAI.



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2 DO THROUGH  
THE CHIEF JUDICIAL MAGISTRATE,  
KULITHALAI.

3 THE INSPECTOR OF POLICE,  
KULITHALAI POLICE STATION,  
KARUR DISTRICT.

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

5. THE DISTRICT MINERAL FOUNDATION TRUST,  
KARUR DISTRICT.

ORDER  
IN

CRL OP(MD) No.9577 of 2025

Date :09/06/2025

NM/10.06.2025 5P/6C

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