



CRL OP(MD). No.9594 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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S.Prabakaran,
S/o.Sekar

... Petitioner/ A1

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Thiruvegampet Police Station,
Sivagangai District.
(Crime No.107 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.Vinoth.R,
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.107 of 2025 on the file of the Respondent Police.



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

The petitioner/ A1, who apprehends 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.107 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons have illegally transported 3 units of river sand in a tipper lorry. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person, and is no way connected with the alleged occurrence as stated by the prosecution. He has been falsely implicated in this case. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submits that the accused have illegally transported 3 units of river sand, and there is no previous case against the petitioner. He further submits that the co-accused have been arrested and subsequently released on bail. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and considering the fact that the co-accused have been arrested and released on bail, and also considering the fact that there is no previous



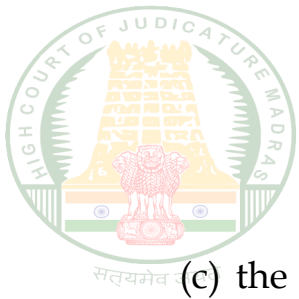
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case against the petitioner, this court is inclined to grant anticipatory bail to the
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petitioner, with certain conditions.

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 Court, Devakottai, Sivagangai 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 Court, Devakottai, Sivagangai District, 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 deposit a sum of *Rs.30,000/- (Rupees Thirty Thousand only)* to the credit of *the District Mineral Foundation Trust, Sivagangai District* as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Devakottai, Sivagangai District shall accept the sureties furnished by the petitioner;



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

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

(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]* and;

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

sd/-
10/06/2025

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



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TO

1 THE JUDICIAL MAGISTRATE COURT,
DEVAKOTTAI, SIVAGANGAI DISTRICT.

2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE ,
SIVAGANGAI.

3 THE INSPECTOR OF POLICE,
THIRUVEGAMPET POLICE STATION,
SIVAGANGAI DISTRICT.

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

5 THE DISTRICT MINERAL FOUNDATION TRUST,
SIVAGANGAI DISTRICT.

+1. CC to M/S. VINOTH.R. Advocate SR.No.6134 (I) DT.10/06/2025

ORDER
IN

CRL OP(MD) No.9594 of 2025

Date :10/06/2025

NM/13.06.2025 5P/7C

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