



CrI.O.P.(MD).No.9816

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). Nos.9816 & 9854 of 2025

N.AbhishekRaj

... Petitioner in
CrI.O.P.(MD).No.9816
of 2025/ Accused

Ramakrishnan

... Petitioner in
CrI.O.P.(MD).No.9854
of 2025/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Manikandam Police Station,
Tiruchirappalli.
(Crime No.157 of 2025)

... Respondent/Complainant
in both petitions

For Petitioners : Mr.K.R.Kishore Ram,
(in both petitions) Advocate

For Respondent : Mr.S.Prakash,
(in both petitions) Government Advocate
(Criminal Side)



Crl.O.P.(MD).No.9816

COMMON PRAYER :-

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For Anticipatory Bail in Crime No.157 of 2025 on the file of the respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/ Accused, 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(4) of Mines and Minerals (Development & Regulations) Act, 1957 in Crime No.157 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners/accused have illegally transported three units of gravel sand in a tipper lorry for the construction works of the Tiruchirappalli Panjappur Bus Stand undertaken by the Tiruchirappalli City Corporation. Hence, the complaint.

3. The learned counsel for the petitioners submitted that this is the second anticipatory bail before this Court. The petitioners are owner and driver of the vehicle. They have not committed any offence as alleged by the prosecution. In fact, the vehicle was used for transport of gravel sand with valid transit pass only. He further submits that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioners.



Crl.O.P.(MD).No.9816

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4. The learned Government Advocate (Criminal Side) submitted that entire properties have been recovered. 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 nature of the offence, and considering the fact that as the date of occurrence is 29.04.2025, by this time most of the investigation would likely have been completed, and considering the fact that there are no previous cases against the petitioners, this court is inclined to grant anticipatory bail to the petitioners, subject to 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 Court No.IV, Tiruchirappalli, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 Court No.IV,



CrI.O.P.(MD).No.9816

Tiruchirappalli, failing which, the petitions 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 petitioner shall deposit a sum of *Rs.10,000/- (Rupees Ten Thousand only)* to the credit of *the District Mineral Foundation Trust, Tiruchirappalli District* as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate No.IV, Tiruchirappalli shall accept the sureties furnished by the petitioner;

(c) the petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate No.IV, Tiruchirappalli. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate No.IV, Tiruchirappalli;

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

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

(f) the petitioners shall not abscond either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial



CrI.O.P.(MD).No.9816

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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;

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

sd/-
16/06/2025

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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.IV
TIRUCHIRAPPALLI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUCHIRAPPALLI.

3 THE INSPECTOR OF POLICE,
MANIKANDAM POLICE STATION,
TIRUCHIRAPPALLI

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



Crl.O.P.(MD).No.9816

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COPY TO:

THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
TIRUCHIRAPPALLI.

ORDER
IN
CRL OP(MD) Nos.9816 & 9854 of 2025
Date :16/06/2025

SS/SAR- /24/06/2025/ 6P/6C

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