

CRL OP(MD). No.10077 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10077 of 2025

K.Karthick, M/28
S/o.Kanaka Sapapathi

... Petitioner/ A4

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
(Crime No.169 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.S.Pugalendhi

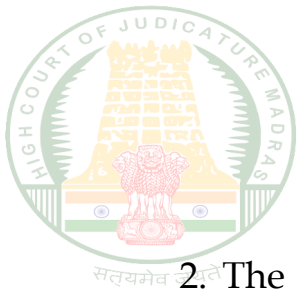
For Respondent : Mr.M.Karunanithi,
Government Advocate
(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.169 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) IPC and 21(1) of Mines and Minerals (Development and Regulation) Act 1957, in Crime No.169 of 2025 on the file of the respondent police, seeks anticipatory bail.



CRL OP(MD). No.10077 of 2025

WEB COPY

2. The case of the prosecution is that the petitioner along with other accused persons have illegally transported ½ unit of Kaliman by using tractor. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged occurrence as stated by the prosecution. He further submitted that co-accused had been arrested and thereafter, they released on bail. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submitted that the accused have illegally transported ½ unit of Kaliman and there is no previous case pending as against the petitioner. He further submitted that co-accused had 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 case against the petitioner, 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



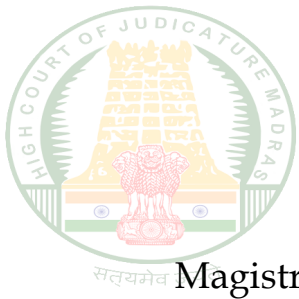
CRL OP(MD). No.10077 of 2025

the order copy made ready, before the District Munsif Cum Judicial Magistrate Court, Elayangudi, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 District Munsif Cum Judicial Magistrate Court, Elayangudi, 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.2,500/- (Rupees Two Thousand and Five Hundred only) to the credit of the District Mineral Foundation Trust, Sivagangai District as Non-refundable deposit and on such deposit being made, the District Munsif Cum Judicial Magistrate Court, Elayangudi, shall accept the sureties furnished by the petitioner;

(c) the petitioner shall furnish his residential address and mobile number to the District Munsif Cum Judicial Magistrate Court, Elayangudi. In the event of any change in his residential address, the petitioner shall report the same to the District Munsif Cum Judicial



CRL OP(MD). No.10077 of 2025

Magistrate Court, Elayangudi;

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(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/-

17/06/2025

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/07/2025

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



CRL OP(MD). No.10077 of 2025

MSRM

TO

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1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
ELAYANGUDI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

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

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

COPY TO:

THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
SIVAGANGAI DISTRICT.

ORDER

IN

CRL OP(MD) No.10077 of 2025

Date :17/06/2025

SA/SAR. /30.06.2025/5P/6C

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