



CRL OP(MD). No.10250 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10250 of 2025

Pandi,
S/o.Angusamy

... Petitioner/ A6

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.R.Vinoth,
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.169 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/ A6, 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 & Regulation) Act, 1957 in Crime No.169 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 1/2 unit of clay soil using a JCB and tractor. 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. The petitioner is merely the owner of the JCB. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submits that there are totally seven accused persons in this case and the petitioner has been arrayed as A6. Except A6 and A4, the other accused have been arrested and subsequently released on bail. A4 has filed an anticipatory bail application before this Court, which is still pending. He further submits that there are no previous cases registered against the petitioner. 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 the co-accused have been arrested and subsequently released on bail, and that there are no previous cases 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 the order copy made ready, before the learned Judicial Magistrate, Elayangudi, Sivagangai District 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 learned Judicial Magistrate, Elayangudi, 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.5,000/- (Rupees Five Thousand only)** to the credit of ***the District Mineral Foundation Trust, Sivagangai***



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District as Non-refundable deposit and on such deposit being made, the learned
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Judicial Magistrate, Elayangudi, Sivagangai District shall accept the sureties
furnished by the petitioner;

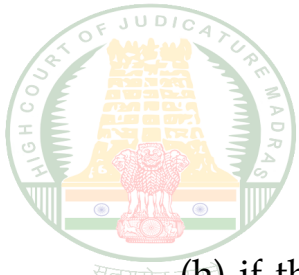
(c) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Elayangudi, Sivagangai District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Elayangudi, Sivagangai District;

(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;



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

sd/-
19/06/2025

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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,
ELAYANGUDI,
SIVAGANGAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

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

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

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



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ORDER
IN
CRL OP(MD) No.10250 of 2025
Date :19/06/2025

NM/03.07.2025/ 6P/7C

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