



CRL OP(MD). No.10472 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 01.07.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10472 of 2025

Ramasamy

... Petitioner/ Accused No.6

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
(Crime No.324 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.P.T.Ramesh Raja

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

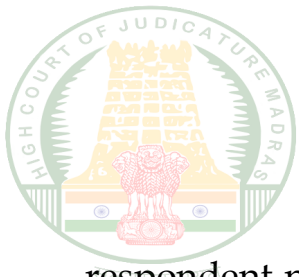
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.324 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.6, who apprehends arrest at the hands of the



CRL OP(MD). No.10472 of 2025

respondent police for the offences punishable under Sections 303(2) of BNS Act and
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Section 21(4) of Mines and Minerals (Development and Regulation) Act, in Crime
No.324 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 17.06.2025 at about 03.00 p.m., when the defacto complainant was conducting a vehicle inspection, he intercepted two lorries bearing Registration Nos.TN 69 AX 2458 and TN 18 AF 2458 and found that the petitioner along with other accused persons have illegally transported 3.5 and 4 units of gravel sand repeatedly without any permit.

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/A2 & A4 have been granted bail by the Principal Sessions Judge, Thoothukudi in Crl.M.P.Nos.2278 & 2285 of 2025 dated 30.06.2025. He further submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.



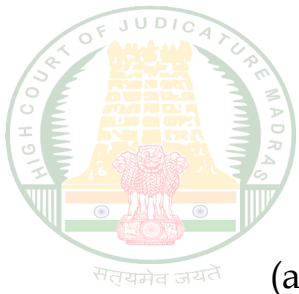
CRL OP(MD). No.10472 of 2025

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4. The learned Government Advocate (Crl. side) submitted that the property has been recovered and there are five previous cases pending against the petitioner. He further submitted that the investigation is almost completed. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact that the investigation has been almost completed and the property has been recovered and co-accused have been granted bail by the Sessions Court, 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 No.I, Srivaikundam, 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 No.I, Srivaikundam,, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



CRL OP(MD). No.10472 of 2025

(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.15,000/- (Rupees Fifteen Thousand only) to the credit of the District Mineral Foundation Trust, Thoothukudi District as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate No.I, Srivaikundam, shall accept the sureties furnished by the petitioner;

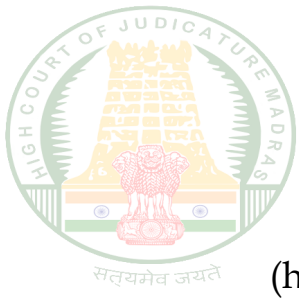
(c) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.1, Srivaikundam, In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.I, Srivaikundam;

(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;



CRL OP(MD). No.10472 of 2025

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

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

msrm

To

1. The learned Judicial Magistrate No.I,
Srivaikundam.
2. Do through the Chief Judicial Magistrate,
Thoothukudi district.
3. The Officer In Charge,
The District Mineral Foundation Trust,
Thoothukudi District.
- 4.The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



CRL OP(MD). No.10472 of 2025

+1 CC to M/s.P.T.RAMESH RAJA, Advocate (SR-7022[I] dated 02/07/2025)

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ORDER

IN

CRL OP(MD) No.10472 of 2025

Date :01/07/2025

PS/SAR.22.07.2025 6P/7C

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