



CRL OP(MD). No.10600 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10600 of 2025

Samyraj,
S/o.Kallakondan

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
K.V.Nallur Police Station,
Tenkasi District.
(Crime No.590 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Kalidoss G,
Advocate

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



CRL OP(MD). No.10600 of 2025

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

WEB COPY

PRAYER :-

For Anticipatory Bail in Crime No.590 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, 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.590 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 9.30 a.m., based on secret information, the Village Administrative Officer of Perumalpatti village conducted a field inspection in Survey Nos. 135/11B, 135/13, 135/14A, and 135/3. During the inspection, she found that sand was being excavated illegally by the accused using a JCB vehicle, without obtaining any permission. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and is in 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.



CRL OP(MD). No.10600 of 2025

WEB COPY

4. The learned Government Advocate (Crl. side) submitted that the petitioner is the sole accused in this case. The petitioner illegally excavated two units of sand from the said land using his JCB vehicle. The entire properties have been seized. He further submitted that there are four previous cases have been registered against the petitioner. Hence, 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 taking note of the fact that as the date of occurrence is 17.06.2025, by this time most of the investigation might have been completed, and that the entire properties have already been recovered, 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, Sankarankovil, Tenkasi 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, Sankarankovil, Tenkasi District, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



CRL OP(MD). No.10600 of 2025

WEB COPY

(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.10,000/- (Rupees Ten Thousand only)*** to the credit of ***the District Mineral Foundation Trust, Tenkasi District*** as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Sankarankovil, Tenkasi 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, Sankarankovil, Tenkasi District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Sankarankovil, Tenkasi 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



CRL OP(MD). No.10600 of 2025

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/-
03/07/2025

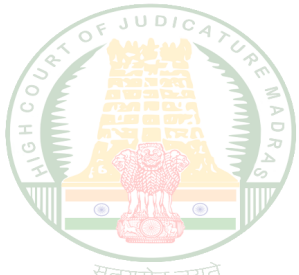
/ TRUE COPY /

/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, SANKARANKOVIL, TENKASI DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TENKASI DISTRICT.
 - 3 THE INSPECTOR OF POLICE, K.V NALLUR POLICE STATION,
TENKASI DISTRICT.
 - 4 THE OFFICER INCHARGE, DISTRICT MINERAL FOUNDATION TRUST,
TENKASI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS
HIGH COURT, MADURAI.
- +1 CC to M/s.G.KALIDOSS, Advocate (SR-7152[I] dated 04/07/2025)

ORDER
IN
CRL OP(MD) No.10600 of 2025
Date :03/07/2025



CRL OP(MD). No.10600 of 2025

NBF/SAR- /17/07/2025/ 6P/7C

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