



CRL OP(MD). No.12169 of 2025

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

Date : 23/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.12169 of 2025

V.Suresh

... Petitioner/ Accused No.3

Vs

State of Tamilnadu
Rep by the Inspector of Police,
Sakkottai Police Station,
Sivagangai.
(Crime No.161 of 2025) .

... Respondent/ Complainant

For Petitioner : Mr.S.Mahendrapathy
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.161 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS, 21(4) of Mines and Minerals (Development & Regulation) Act, in Crime No.161 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 13.06.2025, the petitioner along with other accused persons had illegally transported one unit of Oorani sand by using a tractor with trailer. Hence, the complaint.

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/ A1, A2 had already been granted bail by the Principal Sessions Judge, Sivagangai, in Cr.M.P.No.1615 of 2025 dated 19.06.2025. 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.

4. The learned Government Advocate (Crl. side) submitted that there is no previous case pending against the petitioner and the property has been recovered. 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



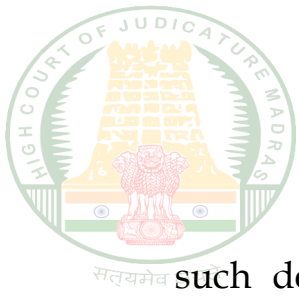
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the fact that the investigation is almost completed and the property has been recovered and co-accused had already been granted bail by the District Court. Hence, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

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, Karaikudi, Sivagangai, 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, Karaikudi, Sivagangai, 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.7,500/- (Rupees Seven Thousand and Five Hundred only) to the credit of the District Mineral Foundation Trust, Sivagangai as Non-refundable deposit and on



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such deposit being made, the learned Judicial Magistrate, Karaikudi, Sivagangai, shall accept the sureties furnished by the petitioner;

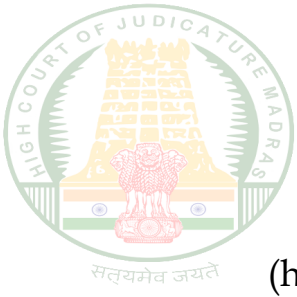
(c) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Karaikudi, Sivagangai. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Karaikudi, Sivagangai;

(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/-
23/07/2025

/ TRUE COPY /

/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

msrm

To

1. The Judicial Magistrate,
Karaikudi, Sivagangai.

2. The Inspector of Police,
Sakkottai Police Station,
Sivagangai.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy To

The Officer Incharge,
The District Mineral Foundation Trust,
Sivagangai.

ORDER
IN
CRL OP(MD) No.12169 of 2025
Date :23/07/2025

HPS/25.08.2025 5P/5C

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