



CRL OP(MD). No.11051 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01.07.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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A.Kavi @ Kavinkumar

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Eriyodu Police Station,
Dindigul District.

... Respondent/Complainant

For Petitioner : Mr.M.Vigneshkumar

For Respondent: Mr.S.Prakash,
Government Advocate
(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.157 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS and 21



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(1) of Mines and Minerals (Development and Regulation) Act, in Crime No.157 of 2025 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that on 14.06.2025 at about 10.00 a.m., the VAO R.Kombai and Geology Department officials were came to land of R.Kombi for survey and on made survey of R.Kombai in Survey Nos.591, 592 and 593, they found that the petitioner was took 2 units gravel soil from the lands and converted it like sand by processed through machine and also he stocked it and sell for his profit without get any permission or license. 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 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 the investigation is almost completed and there is no previous case pending against the petitioner. He further submitted that the property has been recovered. However, he



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opposed to grant anticipatory bail to the petitioner.

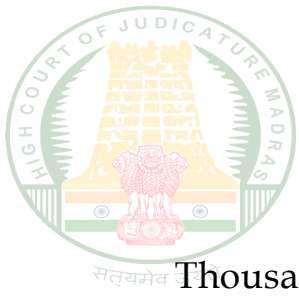
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5. Taking into consideration of the facts and circumstances of the case and also the fact that the investigation is almost completed and the property has been recovered and there is no previous case pending against the petitioner, this court is inclined 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 Munsif cum Judicial Magistrate Court, Vedasanthur, Dindigul 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 Munsif cum Judicial Magistrate Court, Vedasanthur, Dindigul 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.8,000/- (Rupees Eight



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Thousand only) to the credit of the District Mineral Foundation Trust, Dindigul as Non-refundable deposit and on such deposit being made, the learned Munsif cum Judicial Magistrate Court, Vedasanthur, Dindigul District, shall accept the sureties furnished by the petitioner;

(c) the petitioner shall furnish his residential address and mobile number to the learned Munsif cum Judicial Magistrate Court, Vedasanthur. Dindigul District, In the event of any change in his residential address, the petitioner shall report the same to the learned Munsif cum Judicial Magistrate Court, Vedasanthur, Dindigul 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/-
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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 Munsif cum Judicial Magistrate Court,
Vedasanthur, Dindigul District.
2. Do through the Chief Judicial Magistrate,
Dindigul District.
3. The Officer In Charge,
The District Mineral Foundation Trust,
Dindigul District.
4. The Inspector of Police,
Eriyodu Police Station,
Dindigul District.



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

ORDER
IN
CRL OP(MD) No.11051 of 2025
Date :01/07/2025

PS/SAR.22.07.2025 6P/6C

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