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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.11361 of 2025

Muneeshwaran,
S/o.Rengasamy

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.
(Crime No.191 of 2025)

... Respondent/ Complainant

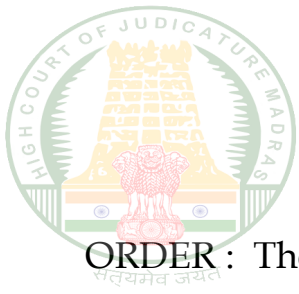
For Petitioner : Mr.K.M.Karunakaran,
Advocate

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.191 of 2025 on the file of the Respondent Police.



ORDER : The Court made the following order :-

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The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 189(2), 296(b), 281, 121(1), 109 and 303(2) of BNS, 2023 r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.191 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 04.06.2025, the respondent police had conducted vehicle check up, at that time, they identified the accused person illegally transported one unit of river sand in a vehicle. When the officials attempted to stop the vehicle, the driver allegedly tried to run over the officials. Further, the accused persons used abusive language against the officials and issued threats of serious harm. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submitted that this is the second anticipatory bail application filed before this Court. The petitioner is an innocent person, and has not committed any offence as alleged by the prosecution. He, however, submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.



4. The learned Government Advocate (Crl. side) submits that there are totally six accused persons in this case and the petitioner has been arrayed as A2. A1 and A6 were arrested and subsequently released on bail by this Court in Crl.O.P.(MD) Nos.10030 & 9969 of 2025, dated 17.06.2025 and 16.06.2025 respectively. However, 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 considering the quantity of minerals involved, and in view of the change in circumstances that two of the co-accused have been arrested and subsequently released on bail by this 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, Pattukottai, 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, Pattukottai, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

<https://www.mhc.tn.gov.in/judis>

(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;

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(b) the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the District Mineral Foundation Trust, Thanjavur District as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Pattukottai shall accept the sureties furnished by the petitioner;

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

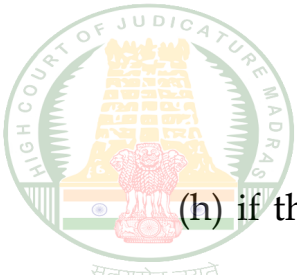
(d) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(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;



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

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Sd/-

07.07.2025

// True Copy //

/ /2025

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1.The Judicial Magistrate,
Pattukottai.

2. Do through the Chief Judicial Magistrate,

3.The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.

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

5.The District Mineral Foundation Trust, Thanjavur District

+1cc M/s. K.M.Karunakaran Advocate S.R.No.7206 Dated. 07/07/2025

ORDER

IN

CRL OP(MD) No.11361 of 2025



CT (23/07/2025) 6P/7C

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

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