



CRL OP(MD). No.11093 of 2025

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

Date : 08.07.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD). No.11093 of 2025

Mahendran

... Petitioner/
Accused No.1

Vs

State of Tamilnadu, rep. by
The Sub Inspector of Police,
Sattur Taluk Police Station,
Virudhunagar District.
(Crime No.157 of 2025)

... Respondent/
Complainant

For Petitioner : Mr.R.Jagadeeshwaran,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Section 482 B.N.S.S.

PRAYER :-

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



CRL OP(MD). No.11093 of 2025

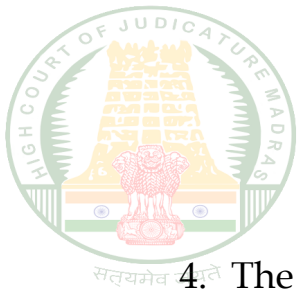
ORDER : The Court made the following order :-

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The petitioner/Accused No.1, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) BNS, 2023 and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.157 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 23.06.2025, the respondent police and other officials were conducted check up, at that time, they found that the petitioner along with others were engaged in excavation of gravel sand by using JCB and TATA Tipper lorry and on seeing the officials, the accused persons fled away from the spot. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He would further submit that the petitioner is no way connected with the case, a false case has been lodged as against the petitioner and that the petitioner is ready and willing to abide any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioner.



CRL OP(MD). No.11093 of 2025

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4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that there are totally 4 accused, the petitioner arrayed as A1, that the petitioner and other were illegally excavated 3 units of gravel sand without having any permit or license and that the properties were recovered by the respondent police. He would further submit that the third accused was released on bail by the Principal District and Sessions Court, Virudhuangar District at Srivilliputtur in CrI.M.P. No.2197 of 2025 vide order dated 03.07.2025 on condition to deposit Rs.5,000/- and that the accused 2 and 4 were granted anticipatory bail by this Court in CrI.O.P.(MD)Nos.10942 and 11223 of 2025 vide order dated 03.07.2025 on condition to deposit Rs.5,000/ each. He would further submit that the petitioner is having 14 previous cases similar in nature. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, and also considering the fact that the properties have already been recovered and taking note of the fact that the accused 2 and 4 were granted anticipatory bail and the third accused was released on bail, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



CRL OP(MD). No.11093 of 2025

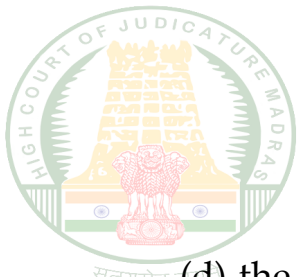
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6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.II, Sattur, Virudhunagar District 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 to the Police Officer, who intends to arrest or to the satisfaction of the Judicial Magistrate No.II, Sattur, Virudhunagar District and on further conditions 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.15,000/- (Rupees Fifteen Thousand only)** to the credit of the District Mineral Foundation Trust, Virudhunagar District as Non-refundable Deposit and on such deposit being made, the learned Judicial Magistrate No.II, Sattur, Virudhunagar District, shall accept the sureties furnished by the petitioner;

(c) the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate No.II, Sattur, Virudhunagar District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Sattur, Virudhunagar District;



CRL OP(MD). No.11093 of 2025

(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 thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
08/07/2025

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/07/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CSM
TO

1. THE JUDICIAL MAGISTRATE NO.II,
SATTUR, VIRUDHUNAGAR DISTRICT.



CRL OP(MD). No.11093 of 2025

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2. DO THROUGH

THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT.

3. THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
VIRUDHUNAGAR DISTRICT.

4. THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
VIRUDHUNAGAR DISTRICT.

5. THE SUB INSPECTOR OF POLICE,
SATTUR TALUK POLICE STATION,
VIRUDHUNAGAR DISTRICT.

6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to JAGADEESHWARAN R Advocate SR.No.7315 (I) DT.09/07/2025

ORDER

IN

CRL OP(MD) No.11093 of 2025

Date :08/07/2025

NM/24.07.2025/ 6P/8C

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