

CRL OP(MD). No.11261 of 2025

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

Date : 04/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.11261 of 2025

Rajesh,
S/o.Ramanathan

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Tiruvadanai Police Station,
Ramanathapuram District.
(Crime No.211 of 2024)

... Respondent/Complainant

For Petitioner : Mr.Velavadhas.H.,
Advocate

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.211 of 2024 on the file of the Respondent Police.



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WEB COPY ORDER: The Court made the following order :-

The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(1) of BNS, 2023 r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.211 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is the Village Administrative Officer, Anjukottai Group, Thiruvadanai. Based on the secret information, on 12.12.2024, at about 10.00 a.m., when the de-facto complainant, along with Village Assistant, was on regular check-up near Subramaniyapuram, Thiruvadanai Road, they found that the other accused person/A1 was illegally transporting 2 ½ units of river sand in a tipper lorry bearing registration No.TN-38-BK-9843. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submitted that this is the fourth 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 has been falsely implicated as an accused solely based on the confession of the 1st accused. In fact, the said lorry is owned by the petitioner's wife. He, however,



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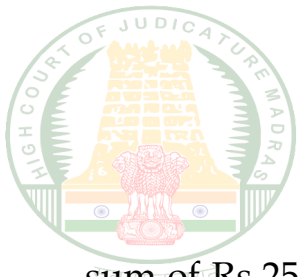
submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.

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4. The learned Government Advocate (Crl. side) submitted that there are totally two accused persons in this case and the petitioner has been arrayed as A2. A1 was arrested and subsequently released on bail. He further submitted that there are two previous cases 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 12.12.2024, by this time most of the investigation might have been completed, and that the co-accused was arrested and subsequently released on bail, 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, Tiruvadanai, Ramanathapuram District, on condition that the petitioner shall execute a bond for a



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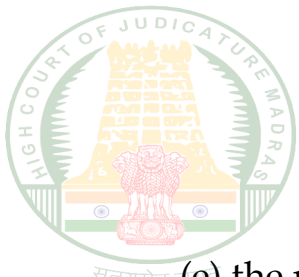
sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Tiruvadanai, Ramanathapuram District, failing which, the petition 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.15,000/- (Rupees Fifteen Thousand only)* to the credit of *the District Mineral Foundation Trust, Ramanathapuram District* as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Tiruvadanai, Ramanathapuram 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, Tiruvadanai, Ramanathapuram District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Tiruvadanai, Ramanathapuram District;

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



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(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.

sd/-
04/07/2025

/ TRUE COPY /

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

MKN

TO

1 THE JUDICIAL MAGISTRATE,
TIRUVADANAI,
RAMANATHAPURAM DISTRICT.



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2 THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

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

4 THE INSPECTOR OF POLICE,
TIRUVADANAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

ORDER
IN
CRL OP(MD) No.11261 of 2025
Date :04/07/2025

NM/21.07.2025/ 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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