



CRL OP(MD). No.11293 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.11293 of 2025

Ramki,
S/o.Nageshwaran

... Petitioner/ A3

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Kattuputhur Police Station,
Trichy District.
(Crime No.42 of 2025)

... Respondent/Complainant

For Petitioner : Mr.N.Balasubramanian,
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.42 of 2025 on the file of the Respondent Police.



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

The petitioner/ A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS, 2023 r/w. Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.42 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 19.02.2025, at about 7.00 a.m., while the respondent police, along with his team, was on patrol duty near the Chinnapallipalayam River Bank, they intercepted an Ashok Leyland Dost bearing Registration No.TN-30-CB-4808 and a Bolero Pickup bearing Registration No.TN-42-AK-6280, which were coming from the opposite direction. Upon inspection, they found that the petitioner was illegally excavating and transporting ½ unit of river sand. While the vehicles were being inspected, the petitioner and the other accused fled from the scene. The respondent police seized the vehicles. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and is in no way connected with the alleged occurrence as stated by the prosecution. He has been falsely implicated in this case.



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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.

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4. The learned Government Advocate (Crl. side) submitted that there are totally three accused persons in this case and the petitioner has been arrayed as A3. A1 was arrested and subsequently released on bail, and A2 has been granted anticipatory bail by this Court on 13.06.2025 in Crl.O.P.(MD)No.9409 of 2025. The entire properties have been recovered. 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 19.02.2025, by this time most of the investigation might have been completed, and that one of the co-accused was arrested and subsequently released on bail, and one of the co-accused has granted anticipatory bail by this Court, and that the entire properties have already been recovered, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



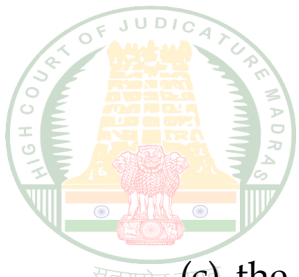
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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Thottiyam, Trichy 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 Judicial Magistrate, Thottiyam, Trichy 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.5,000/- (Rupees Five Thousand only)* to the credit of *the District Mineral Foundation Trust, Trichy District* as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Thottiyam, Trichy District shall accept the sureties furnished by the petitioner;



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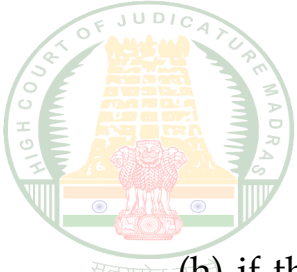
(c) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Thottiyam, Trichy District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Thottiyam, Trichy District;

(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/-
04/07/2025

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

MKN

TO

- 1 THE JUDICIAL MAGISTRATE,
THOTTIYAM, TRICHY DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
TRICHY DISTRICT.
- 4 THE INSPECTOR OF POLICE,
KATTUPUTHUR POLICE STATION,
TRICHY DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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ORDER
IN
CRL OP(MD) No.11293 of 2025
Date :04/07/2025

NM/21.07.2025/ 7P/6C

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