



CRL OP(MD).No.11211 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Ganesan,
S/o.Ramaiya

.. Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Seithur Rural Police Station,
Virudhunagar District.
(Crime No.88 of 2025)

.. Respondent/ Complainant

For Petitioner :Mr.R.J.Karthick
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.88 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS and 21(4) of Mines and Minerals (Development & Regulations) Act, 1957 in Crime No.88 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 18.06.2025 at about 2.00hrs, the respondent police involved in patrolling duty nearby Sundararajapuram West forest area, at that time, the respondent police intercepted two tractor and found that 5 bags of sand and half unit of sand without having any valid permit or license were illegally transported by the accused persons. Hence, the case.

3. The learned counsel for the petitioner would submit that the respondent police lodged a false case against this petitioner. There are totally five accused in this case, this petitioner was arrayed as Accused No.4. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. 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.

4. The learned Government Advocate (Criminal Side) would submit that this petitioner and other accused persons were illegally transported 5 bags of river sand



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and half unit of sand. In this case, co-accused were already arrested and subsequently released on bail. There is no previous case against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, co-accused already released on bail, there is no previous case against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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 Court, Rajapalayam 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 to the Police Officer, who intends to arrest or to the satisfaction of the Judicial Magistrate Court, Rajapalayam, 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;



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[b] the petitioner shall make a non-refundable deposit of **Rs.2,000/- (Rupees Two Thousand only)** to the credit of the **Chairman/District Collector, District Mineral Foundation Trust of the concerned District**, without prejudice to his defence before the trial Court and produce the acknowledgment at the time of executing bond;

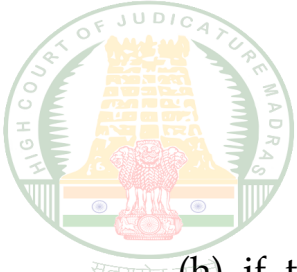
(c) the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate Court, Rajapalayam. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate Court, Rajapalayam;

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

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Sd/-

03.07.2025

// True Copy //

/ /2025

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court

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TO

- 1.The Judicial Magistrate Court,
Rajapalayam
2. To Through: The Chief Judicial Magistrate,
Virudhunagar District.
- 3.The Inspector of Police,
Seithur Rural Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 5.The Chairman/District Collector,
District Mineral Foundation Trust,
Virudhunagar District.



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ORDER
IN
CRL OP(MD) No.11211 of 2025
Dated : 03/07/2025

RA - (23.07.2025) 6P/ 7C

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