



CRL OP(MD). No.11256 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.11256 of 2025

Karuppiah,
S/o.Mankalanathan

... Petitioner/ A2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Bazzar Police Station,
Ramanathapuram District.
(Crime No.137 of 2025)

... Respondent/Complainant

For Petitioner : Mr.D.Balamurugapandi,
Advocate

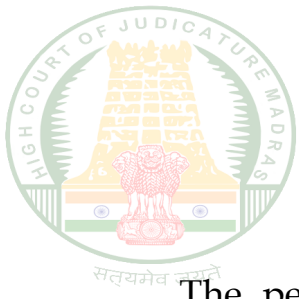
For Respondent : Mr.M.Karunanithi,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.137 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-



CRL OP(MD). No.11256 of 2025

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The petitioner/A2, 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 (1) of the Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.137 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 18.06.2025, based on secret information, the respondent police went to the place of occurrence and found that the 1st accused was illegally excavating sand from the Vaigai riverbed using a JCB vehicle bearing Registration No.TN-65-AS-6385, without obtaining any permit or licence. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. The petitioner is merely the owner of the said vehicle. However, he submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner has been arrayed as A2 in this case. A1 was arrested and subsequently released on bail by the learned Principal Sessions Judge, Ramanathapuram on 23.06.2025 in CrI.M.P.No.1477 of 2025. He further submitted that there are no previous cases registered against the petitioner. However, he opposed to grant



CRL OP(MD). No.11256 of 2025

anticipatory bail to the petitioner.

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5. Considering the facts and circumstances of the case, and considering the quantity of minerals involved, and also taking note of the fact the co-accused was arrested and subsequently released on bail, and that there are no previous cases registered against the petitioner, and that as the date of occurrence is 18.06.2025, by this time most of the investigation might have been completed, 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 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 learned Judicial Magistrate No.1, Ramanathapuram, Ramanathapuram 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.1, Ramanathapuram, Ramanathapuram 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.5,000/- (Rupees Five Thousand only)*



CRL OP(MD). No.11256 of 2025

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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 No.1, Ramanathapuram, Ramanathapuram District shall accept the sureties furnished by the petitioner;

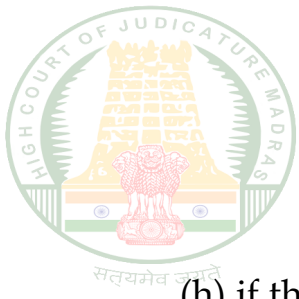
(c) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.1, Ramanathapuram, Ramanathapuram District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.1, Ramanathapuram, Ramanathapuram 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;



CRL OP(MD). No.11256 of 2025

(h) if the accused thereafter abscond, a fresh FIR can be registered under Section

269 of BNS, 2023.

sd/-

11/07/2025

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Sub-Assistant Registrar (C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

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TO

1 THE JUDICIAL MAGISTRATE NO.1, RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE, BAZZAR POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

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

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-7619[I] dated 15/07/2025)

ORDER

IN

CRL OP(MD) No.11256 of 2025

Date :11/07/2025

NBF/SAR- /29/07/2025/ 5P/7C

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