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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.07.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD). No.11562 of 2025

1.Arun @ Satheesh

2.John

... Petitioners/ Accused 3&4

Vs

The State of Tamil Nadu through
The Inspector of Police,
Kallaperumbur Police Station,
Thanjavur District.
(Crime No.109 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.C.Senthil Murugan,
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.109 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.3 & 4, who apprehend arrest at the hands of the
<https://www.mhc.tn.gov.in/judis>
respondent police for the offences punishable under Sections 303(2) and 326(b) BNS,



2023 and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.109 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 08.06.2025, the petitioners along with other accused had illegally transported 1 unit of river sand by using TATA 207. Hence, the case.

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

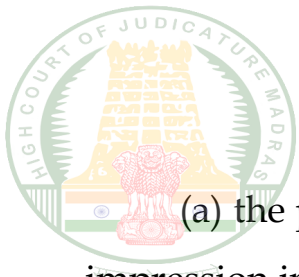
4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the petitioners along with other accused had illegally transported 1 unit of river sand by using TATA 207 and that there are totally four accused, the petitioners are arrayed as A3 & A4. He would further submit that the first accused was granted bail by this Court in CrI.O.P.(MD)No.10822 of 2025 vide order dated 27.06.2025 on condition to deposit Rs.10,000/-and the second accused



was granted bail by the Principal Sessions Court, Thanjavur in CrI.M.P.No.3573 of 2025 vide order dated 04.07.2025 on condition to deposit Rs.2,000/- and that the properties were recovered by the respondent police. He would fairly concede that the petitioners are not having any previous cases. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and also considering the fact that the properties have already been recovered and also the facts that the petitioners are not having any previous case and that co-accused were already arrested and released on bail and taking note of the fact that by this time, most of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.II, Thanjavur on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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, Thanjavur and on further conditions that:



(a) the petitioners 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 petitioners shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) each to the credit of the District Mineral Foundation Trust, Thanjavur District as Non-refundable Deposit and on such deposit being made, the learned Judicial Magistrate No.II, Thanjavur, shall accept the sureties furnished by the petitioners;

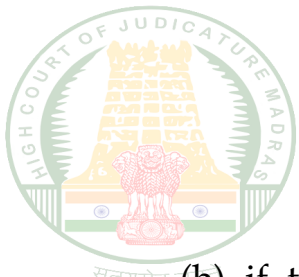
(c) the petitioners shall furnish their residential address and contact number to the learned Judicial Magistrate No.II, Thanjavur. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate No.II, Thanjavur;

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

(e) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



(h) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

Sd/-
09.07.2025

// True Copy //

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

CSM

TO

1. The Judicial Magistrate No.II,
Thanjavur.
2. Do through the Chief Judicial Magistrate,
Thanjavur District. At kumpakonam.
3. The Inspector of Police,
Kallaperumbur Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
5. The District Mineral Foundation Trust, Thanjavur District



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ORDER IN

CRL OP(MD). No.11562 of 2025

Date : 09.07.2025

CT (23/07/2025) 6P/6C

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