



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

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Date : 09.07.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD). No.11527 of 2025

1.Amirthalingam

2.Viyasekar

3.Karthikeyan

4.Elangovan

... Petitioners/ Accused

Vs

The State of Tamil Nadu, rep. by its
The Inspector of Police,
Adiramapattinam Police Station,
Thanjavur District.
(Crime No.327 of 2025)

... Respondent/ Complainant

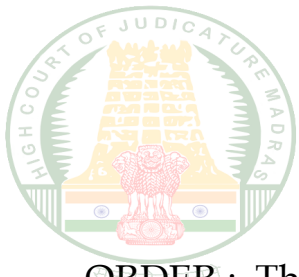
For Petitioners : Mr.N.Balasubramanian,
Advocate.

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.327 of 2025 on the file of the Respondent Police.



ORDER : The Court made the following order :-

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The petitioners/ Accused Nos.1 to 4, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 303(2) BNS, 2023 and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.327 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 02.07.2025, the petitioners had illegally transported $\frac{1}{4}$ unit of river sand by using bullock cart. 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 had illegally transported $\frac{1}{4}$ unit of river sand by using bullock cart and that there are totally four accused, the petitioners are arrayed as A1 to A4. He would further submit that the properties were recovered by the respondent police and 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 facts that the properties have already been recovered and that the petitioners are not having any previous case 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, Pattukkottai, Thanjavur District 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, Pattukkottai, Thanjavur District 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.3,000/- (Rupees Three 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, Pattukkottai, Thanjavur District, shall accept the sureties furnished by the petitioners;

(c) the petitioners shall furnish their residential address and contact number to the learned Judicial Magistrate, Pattukkottai, Thanjavur District. In the event of any



change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Pattukkottai, Thanjavur District;

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(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 Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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

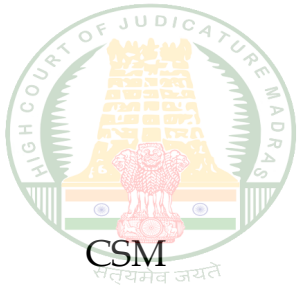
Sd/-

09.07.2025

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/ /2025

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



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TO

1. The Judicial Magistrate,
Pattukkottai, Thanjavur District.
2. Do through the Chief Judicial Magistrate,
Thanjavur District.
3. The Inspector of Police,
Adiramapattinam Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
5. The District Mineral Foundation Trust, Thanjavur District.

ORDER
IN

CRL OP(MD). No.11527 of 2025
Date : 09.07.2025

CT (24/07/2025) 5P/6C

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