



CRL OP(MD). No.11924 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 17/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.11924 of 2025

Murugan @ Shenthilvelmurugan,
S/o.Kombaiah

... Petitioner/ A5

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.
(Crime No.400 of 2025)

... Respondent/ Complainant

For Petitioner : Ms.A.Banumathy,
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.400 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/ A5, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS, 2023 in Crime No.400 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused illegally transported one unit of river sand using a lorry. 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. 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.

4. The learned Government Advocate (Crl. side) submits that there are totally five accused persons in this case and the petitioner has been arrayed as A5. A1 and A3 were arrested and are still under custody, and A2 was arrested and subsequently released on bail by the learned Principal Sessions Judge, Tirunelveli on 15.07.2025 in



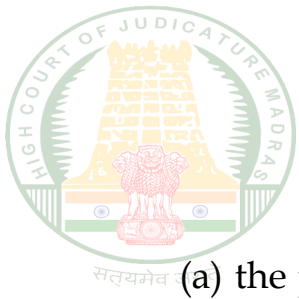
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Cr.M.P.No.3125 of 2025, and A4 is still absconding. The entire properties have been recovered. He further submitted that there are no previous cases registered against the petitioner. Hence, he opposed to grant anticipatory bail to the petitioner.

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5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and considering the quantity of minerals involved, and also taking note of the fact that the entire properties have already been recovered, and that one of the co-accused was arrested and subsequently released on bail, and that there are no previous cases registered 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 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, Nanguneri, 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, Nanguneri, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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(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.2,000/- (Rupees Two Thousand only) to the credit of the District Mineral Foundation Trust, Tirunelveli District as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Nanguneri shall accept the sureties furnished by the petitioner;

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

(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;



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(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;

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

sd/-
17/07/2025

/ TRUE COPY /

/08/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN

TO

1.THE JUDICIAL MAGISTRATE,
NANGUNERI.



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2.DO THOROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3.THE INSPECTOR OF POLICE,
NANGUNERI POLICE STATION,
TIRUNELVELI DISTRICT.

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

COPY TO

1 THE OFFICER INCHARGE,
DISTRICT MINERAL FOUNDATION TRUST,
TIRUNELVELI DISTRICT.

+1. CC to A.BANUMATHY Advocate SR.No.7834 (I) DT.21/07/2025

ORDER
IN

CRL OP(MD) No.11924 of 2025
Date :17/07/2025

NM/08.08.2025/ 6P/7C

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