



CRL OP(MD).No.12013 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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1.Vaithiyalingam

2.Muthu

.. Petitioners/ Accused Nos.3 & 4

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.
(Crime No.314 of 2025)

.. Respondent/ Complainant

For Petitioners : Mr.M.Pandian,
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.314 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A3 & A4, who apprehend arrest at the hands of the respondent police for the offences punishable under section 303(2) of BNS in Crime



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No.314 of 2025 on the file of the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that on 23.06.2025, when the respondent police was in routine rounds, the petitioners have illegally transported 5 units of saral sand by using a tipper lorry bearing Reg.No.TN-69-BH-8411. Hence, a case has been registered.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and the petitioners have not committed any offence as alleged by the prosecution and also a false case has been foisted against them. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submitted that the petitioners have illegally transported 5 units of saral sand. The first petitioner is the driver and second petitioner is the owner of the vehicle. The second accused was already granted anticipatory bail by the learned Principal Sessions Judge, Thoothukudi in Cr.M.P.No.2555 of 2025. He further submitted that the first accused is absconding and the properties have been recovered. However, he objected to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case considering fact that the properties have been recovered and the co-accused/ A2 was already granted anticipatory bail and also the fact that the occurrence had taken



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place on 23.06.2025, by this time, most of the investigation might have been completed, this court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.III, Thoothukudi 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 the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.III, Thoothukudi District failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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, Thoothukudi District as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate No.III, Thoothukudi District, shall accept the sureties furnished



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by the petitioners;

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

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

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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;

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

sd/-
28/07/2025

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

das



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TO
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- 1.The Judicial Magistrate No.III, Thoothukudi.
- 2.Do Through The Chief Judicial Magistrate,
Thoothukudi District.
- 3.The Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The Officer Incharge,
District Mineral Foundation Trust,
Thoothukudi District.

+1 CC to M/s.M.PANDIAN, Advocate (SR-8203[I] dated 30/07/2025)

ORDER
IN
CRL OP(MD) No.12013 of 2025
Date :28/07/2025

SBN/08.08.2025 5P/7C

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