



Crl.O.P.(MD).No.12483 of 2025

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

Date : 30/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). Nos.12483 & 12499 of 2025

1.Praveen,
S/o.Sankaran

2.Ram Kumar,
S/o.Perumal

... Petitioners in

Crl.O.P.(MD).No.12483
of 2025/ A1 & A5

1.Muthu @ Petchimuthu,
S/o.Murugan

2.Kombaiah,
S/o.Murugan

3.Subramanian,
S/o.Saravanan

... Petitioners in

Crl.O.P.(MD).No.12499
of 2025/ A3, A4 & A6

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
(Crime No.480 of 2025)

... Respondent/Complainant
in both petitions



Crl.O.P.(MD).No.12483 of 2025

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For Petitioners : Mr.R.Mohanasundaram,
(in Crl.O.P.(MD) Advocate
No.12483 of 2025)

For Petitioners : Mr.C.Susikumar,
(in Crl.O.P.(MD) Advocate
No.12499 of 2025)

For Respondent : Mr.S.Prakash,
(in both petitions) Government Advocate
(Criminal Side)

COMMON PRAYER :-

For Anticipatory Bail in Crime No.480 of 2025 on the file of the respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/A1, A3 to A6, who apprehend arrest at the hands of the respondent police for the offences punishable under section 303(2) of BNS, 2023 in Crime No.480 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 17.07.2025, at about 12.30 a.m., the respondent police were conducting a regular vehicle check near Kottaikarunkulam, Vadivammanpatti Panchayat Office. At that time, they saw a SWARAJ MAZDA lorry bearing Registration No.TN-72-BU-4379 carrying sand and proceeding from north to south. When the respondent police attempted to intercept the vehicle, the



Crl.O.P.(MD).No.12483 of 2025

WEB COPY

accused stopped it near a land belonging to one Durai, jumped out, and escaped from the scene. Upon inspecting the vehicle, they found that the accused had illegally transported two units of river sand without any valid permit or license. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and have not committed any offence as alleged by the prosecution. They further submitted that the petitioners are merely the driver and loadmen of the vehicle, and they have been falsely implicated in this case. However, they submitted that the petitioners are willing to abide by any conditions that may be imposed by this Court. Hence, they seek anticipatory bail for the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that there are totally six accused persons in this case and the petitioners have been arrayed as A1, A3 to A6. A2 is still absconding. He submitted that the lorry has been seized, and out of the two units of river sand, half a unit has been recovered. He further submitted that two previous cases are registered against the 3rd accused, one previous case is registered against the 4th accused, and no previous cases are registered against the 1st and 6th accused. However, he opposed to grant anticipatory



Crl.O.P.(MD).No.12483 of 2025

bail to the petitioners.

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5. Taking into consideration of the facts and circumstances of the case, the nature of the offence, and the quantity of the minerals involved, and also taking note of the fact that half a unit of river sand and the lorry had already been recovered, and that as the date of occurrence is 17.07.2025, 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 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, Radhapuram, 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, Radhapuram, failing which, the petitions 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



Crl.O.P.(MD).No.12483 of 2025

card or Bank pass Book to ensure their identity;

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(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, Tirunelveli District as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Radhapuram shall accept the sureties furnished by the petitioners;

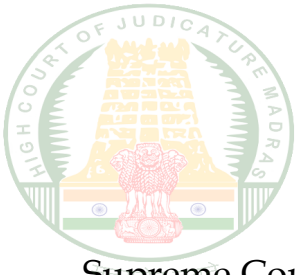
(c) the petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Radhapuram. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Radhapuram;

(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 themselves as laid down by the Hon'ble



Crl.O.P.(MD).No.12483 of 2025

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

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

7. Accordingly, these Criminal Original Petitions are allowed.

sd/-
30/07/2025

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/2025
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,
Radhapuram.

2.Do Through The Chief Judicial Magistrate,
Tirunelveli District.

3.The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy To
The Officer Incharge,
The District Mineral Foundation Trust,
Tirunelveli District.



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Crl.O.P.(MD).No.12483 of 2025

ORDER

IN

CRL OP(MD) Nos.12483 & 12499 of 2025

Date :30/07/2025

HPS/20.08.2025 7P/6C

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