

CRL OP(MD). No.12491 of 2025

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

Date : 29/07/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.12491 of 2025

1.Murugan

2.Mari

... Petitioners/ Accused

Vs

State of Tamilnadu

Rep by the Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
(Crime No.104 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.S.Muniyandi
Advocate.

For Respondent : Mr.M.Karunanithi
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.104 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS and Section 21(1) Mines and Minerals (Development and Regulation) Act 1957, in Crime No.104 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners illegally transported 1 ½ unit sand from the land belongs to one Pandi without prior permission. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they are no way connected with the alleged occurrence as stated by the prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seek anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. side) submitted that there are eight previous cases pending against the 1st petitioner and two previous cases pending against the 2nd petitioner. He further submitted that the entire property has been



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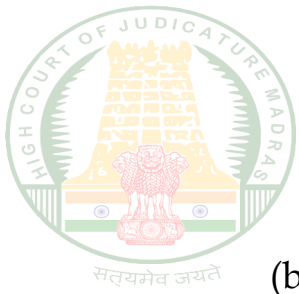
recovered and the investigation is almost completed. However, he opposed to grant anticipatory bail to the petitioners.

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5. Taking into consideration of the facts and circumstances of the case and also the fact that the investigation is almost completed and the property has been recovered, this court is inclined to grant anticipatory bail to the petitioners, with 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, Paramadudi, Ramanathapuram District, on condition that each of the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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, Paramadudi, Ramanathapuram 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 1st petitioner shall deposit a sum of ***Rs.15,000/- (Rupees Fifteen Thousand only)*** to the credit of ***the District Mineral Foundation Trust, Ramanathapuram District*** and the 2nd petitioner shall deposit a sum of ***Rs.10,000/- (Rupees Ten Thousand only)*** to the credit of ***the District Mineral Foundation Trust, Ramanathapuram District*** as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Paramadudi, Ramanathapuram District, shall accept the sureties furnished by the petitioners;

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

(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



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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/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
29/07/2025

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

MSRM
TO

1. The Judicial Magistrate,
Paramadudi, Ramanathapuram District.
2. The Chief Judicial Magistrate,
Ramanathapuram District.
3. The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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1. The Officer Incharge,
District Mineral Foundation Trust,
Ramanathapuram District.

+1 CC to M/s.S.MUNIYANDI, Advocate (SR-8129[I] dated 29/07/2025)

ORDER
IN

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Date :29/07/2025

NM/20.08.2025/ 6P/7C

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