



CRL OP(MD). No.12562 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Muruganantham

... Petitioner/ Accused No.15

Vs

State of Tamilnadu

Rep by the Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.

(Crime No.373 of 2025) .

... Respondent/Complainant

For Petitioner : Mr.D.Rajaboopathy
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.373 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.15, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2), 326(a) of BNS and 3(2) of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992, in



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Crime No.373 of 2025 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that based on the secret information regarding the illegal storage of river sand, the respondent police proceeded to the spot and found that the petitioner had stored 10 units of river sand. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged occurrence as stated by the prosecution. He further submitted that co-accused/ A12 had already been granted bail by this Court in Crl.OP(MD).No.11195 of 2025 dated 03.07.2025 and some of the accused had already been granted bail by the Principal District Judge, Thanjavur. He further submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. side) submitted that there are five previous cases pending against the petitioner and the property has been recovered. He further submitted that the investigation is almost completed. However, he opposed to grant anticipatory bail to the petitioner.



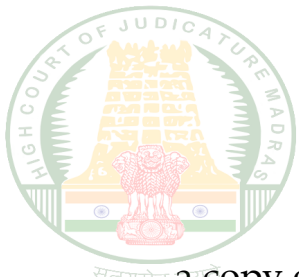
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5. Taking into consideration of the facts and circumstances of the case and also the fact that co-accused had already been granted bail by this Court and after dismissal of earlier petition, the respondent police have not taken any steps to secure the petitioner and the entire property has been recovered and the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner, with 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 Court No.II, Thanjavur, Thanjavur District, on condition that 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 Court No.II, Thanjavur, Thanjavur District, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

- (a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain



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a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) 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 Court No.II, Thanjavur, Thanjavur District, shall accept the sureties furnished by the petitioner;

(c) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate Court No.II, Thanjavur, Thanjavur District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate Court No.II, Thanjavur, Thanjavur District;

(d) the petitioner shall report before the respondent police daily at 10.00 a.m., and 05.00 p.m., until further orders;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(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



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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/-
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 Court No.II,
Thanjavur, Thanjavur District.
- 2.Do Through The Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
- 3.The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.



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4.The Officer Incharge,
District Mineral Foundation Trust, Thanjavur District.

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

ORDER
IN
CRL OP(MD) No.12562 of 2025
Date :29/07/2025

SBN/19.08.2025 6P/6C

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