

CRL OP(MD). No.12825 of 2025

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

Date : 11/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.12825 of 2025

Murugesan

... Petitioner/ A3

Vs

The State of Tamil Nadu,
The Inspector of Police,
Namanasamudram Police Station,
Pudukottai District.
(Crime No.43 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.A.Shahjahan

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.43 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A3, who apprehends arrest at the hands of the respondent police



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for the offences punishable under Section 303(2), 62 BNS Act and r/w 21(4) of
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Mines and Minerals Development Act 1957, in Crime No.43 of 2025 on the file of
the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on information, when the respondent police went for a ride, they found that two persons were drilling in the rock and smashed them and also attempted to illegally transport the rocks from the Government poramboke land by using an unnumbered Swaraj 843xM compressor tractor. Hence, the case.

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/A1 had already been granted anticipatory bail by this Court in Crl.OP(MD).No.10172 of 20225 dated 18.06.2025 and A2 had already been granted anticipatory bail by this Court in Crl.OP(MD).No.9066 of 2025 dated 28.05.2025. 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.



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4. The learned Government Advocate (Crl. side) submitted that the property has been recovered and the investigation has been almost completed. He further submitted that there is no previous case pending against the petitioner and co-accused had already been granted anticipatory bail by this Court. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and considering the fact that co-accused had already been granted anticipatory bail by this Court and the investigation has been 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 judicial Magistrate Court, Thirumayam, 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 Judicial Magistrate Court, Thirumayam, 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.5,000/- (Rupees Five Thousand only)* to the credit of *the District Mineral Foundation Trust, Pudukottai District* as Non-refundable deposit and on such deposit being made, the Judicial Magistrate Court, Thirumayam, shall accept the sureties furnished by the petitioner;

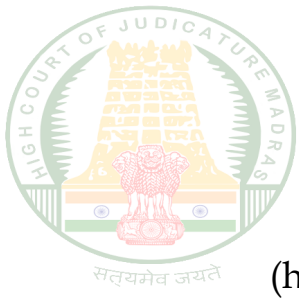
(c) the petitioner shall furnish his residential address and mobile number to the Judicial Magistrate Court, Thirumayam. In the event of any change in his residential address, the petitioner shall report the same to the Judicial Magistrate Court, Thirumayam;

(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;

(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;



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

sd/-
11/08/2025

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/09/2025
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,
Thirumayam.
- 2 The Inspector of Police,
Namanasamudram Police Station,
Pudukottai District.
- 3 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

- 1 The Officer Incharge,
District Mineral Foundation Trust,
Pudukottai District.

+1 CC to M/s.A.SHAJAHAN, Advocate (SR-8705[I] dated 12/08/2025)



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ORDER
IN
CRL OP(MD) No.12825 of 2025
Date :11/08/2025

NM/03.09.2025/ 6P/6C

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