



CRL OP(MD). No.12953 of 2025

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

Date : 05/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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K.Gunasekar,
S/o.Kaliyappan,

: Petitioner/ A6

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Karur Town Police Station,
karur District.
(Crime No.166 of 2025)

:Respondent/Complainant

For Petitioner : Mr.M.Anbarasan,
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.166 of 2025 on the file of the Respondent Police.



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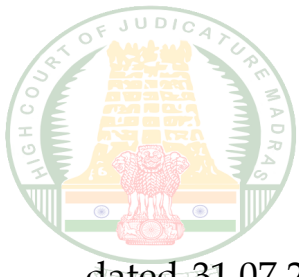
ORDER: The Court made the following order :-

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The petitioner/ A6, who apprehends arrest at the hands of the respondent police for the offences punishable under section 303(2) of BNS, 2023 r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.166 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 26.02.2025 at about 16.30 hours, while the respondent police were conducting vehicle checkup from Govindampalayam to Viswanathapuram, near Rajavaikkal in Pallapalayam, near Navaladiyan Traders, the petitioner along with other accused persons have illegally transported four units of river sand by using tipper lorry bearing Reg.No.TN-45-J-2232. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person, and is no way connected with the alleged occurrence as stated by the prosecution. He has been falsely implicated in this case. He further submits that the co-accused has already been released on bail by the learned Principal District Judge, Karur, vide order dated 04.07.2025 and A5 and A7 had already been granted anticipatory bail by this Court in CrI.OP(MD)No.12727 and 9306 of 2025,



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dated 31.07.2025 and 17.06.2025 respectively. Subsequently, the fourth accused has also granted bail by this Court in Crl.OP(MD)No.13042 of 2025, dated 04.08.2025. He further submits that the petitioner is ready and willing to abide any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.

4.The learned Government Advocate (Crl. side) submits that totally there are seven accused involved in this case and the petitioner has been arrayed as A6. The accused persons have illegally transported four units of river sand without any permit and the petitioner is having one previous case. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and considering the fact that the properties have been recovered and the occurrence had taken place on 26.02.2025, by this time, most of the investigation might have been completed and taking note of the fact that the fourth accused has already been released on bail by this Court in Crl.OP(MD)No.13042 of 2025 and the co-accused/ A5 and A7 had also granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



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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 No.I, Karur 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 No.I, Karur 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 a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall deposit a sum of ***Rs.10,000/- (Rupees Ten Thousand only)*** to the credit of ***the District Mineral Foundation Trust, Karur District*** as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate No.I, Karur shall accept the sureties furnished by the petitioner;

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



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(d) the petitioner shall report before the respondent Police daily at 10.00 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;

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

sd/-
05/08/2025

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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

TO

1 The Judicial Magistrate No.I,
Karur.

<https://www.mhc.tn.gov.in/judis>



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2 The Inspector of Police,
Karur Town Police Station,
Karur District.

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

COPY TO

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

+1 CC to M/s.M.ANBARASAN, Advocate (SR-8445[I] dated 05/08/2025)

ORDER
IN

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Date :05/08/2025

NM/28.08.2025/ 6P/6C

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