



CRL OP(MD). No.13139 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.08.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD). No.13139 of 2025

Franklin Layani @ Franklin

... Petitioner/
Accused No.2

Vs

State of Tamilnadu represented by
The Inspector of Police,
Thiruchitrabalam Police Station,
Thanjavur District.
(Crime No.230 of 2025)

... Respondent/
Complainant

For Petitioner : Mr.K.M.Karunakaran,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Section 482 B.N.S.S.

PRAYER :-

For Anticipatory Bail in Crime No.230 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/Accused No.2, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) BNS, 2023 and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.230 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 22.07.2025, the petitioner along with other person had illegally transported 1 unit of river sand by using TATA 407. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He would further submit that the petitioner is no way connected with the case, a false case has been lodged as against the petitioner and that the petitioner is ready and willing to abide any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that there are totally 2 accused, the petitioner arrayed as A2 and that the petitioner and the first accused had illegally transported 1 unit of river sand by using TATA 407. He would further submit that the properties were recovered by the respondent police, that the first accused was already arrested and



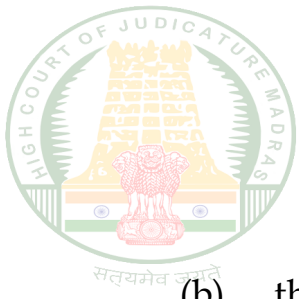
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released on bail by the learned Principal District Judge, Thanjavur in Cr.M.P.No.2357 of 2025 dated 29.07.2025 and that the petitioner is not having any previous cases. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, and also considering the facts that the properties have already been recovered and that the first accused was already released on bail and taking note of the fact that the petitioner is not having any bad antecedents, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the District Munsif cum Judicial Magistrate, Peravurani on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the District Munsif cum Judicial Magistrate, Peravurani and on further conditions 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;



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(b) the petitioner shall deposit a sum of **Rs.10,000/- (Rupees Ten 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 District Munsif cum Judicial Magistrate, Peravurani, shall accept the sureties furnished by the petitioner;

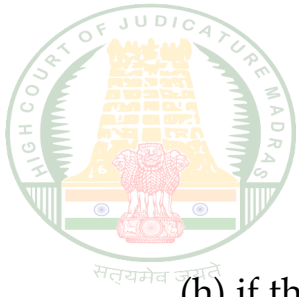
(c) the petitioner shall furnish his residential address and contact number to the learned District Munsif cum Judicial Magistrate, Peravurani. In the event of any change in his residential address, the petitioner shall report the same to the learned District Munsif cum Judicial Magistrate, Peravurani;

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

sd/-
07/08/2025

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/2025

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

csm
TO

- 1 The District Munsif Cum Judicial Magistrate, Peravurani.
 - 2 The Inspector of Police, Kurisilapet, Thiruchitrambalam Police Station, Thanjavur District.
 - 3 The Officer Incharge, District Mineral Foundation Trust, Thanjavur District.
 - 4 The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-8550[I] dated 07/08/2025)

ORDER
IN
CRL OP(MD) No.13139 of 2025
Date :07/08/2025

NBF/SAR- /26/08/2025/ 5P/6C

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