



No.13138 of

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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). Nos.13138 and 13182 of 2025

1.Mala

2.Rajesh

... Petitioners in CrIOP(MD)
No.13138 of 2025

1.Saravanan

2.Hariharan

... Petitioners in CrIOP(MD)
No.13182 of 2025

Vs

State of Tamil Nadu, rep. by
The Inspector of Police,
S.P.Pattinam Police Station,
Ramanathapuram District.
(Crime No.65 of 2025)
(in both the petitions)

... Respondent in both the petitions

For Petitioners : Mr.G.Aravinthsamy,
Advocate.

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

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

COMMON PRAYER :-

For Anticipatory Bail in Crime No.65 of 2025 on the file of the Respondent Police.



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COMMON ORDER : The Court made the following order :-

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The petitioners/Accused Nos.3 to 6, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 303(2) BNS, 2023 and Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.65 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 26.07.2025, the petitioners and other accused had illegally tried to transport the river sand at Pambaru riverbed by using tipper lorries and JCB. Hence, the case.

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

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that there are totally six accused, the petitioners arrayed as A3 to A6 and that the petitioners along with other accused had illegally tried to transport river sand. He would further submit that the properties have already been recovered, that the third accused is not having any previous cases, the



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accused 5 and 6 are having one previous case each and the fourth accused is having three previous cases and that the accused 1 and 2 were already arrested and released on bail by the learned Principal Sessions Judge, Ramanathapuram in CrI.M.P.No.1812 of 2025 vide order dated 01.08.2025. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and also considering the facts that the properties have already been recovered and that the accused 1 and 2 were already released on bail and taking note of the fact that by this time, most of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Thiruvadanai, Ramanathapuram District on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 Judicial Magistrate, Thiruvadanai, Ramanathapuram District and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb



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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 petitioners shall deposit a sum of **Rs.5,000/- (Rupees Five Thousand only)** each 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, Thiruvadanai, Ramanathapuram District, shall accept the sureties furnished by the petitioners;

(c) the petitioners shall furnish their residential address and contact number to the learned Judicial Magistrate, Thiruvadanai, Ramanathapuram District. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Thiruvadanai, 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by



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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 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 Judicial Magistrate, Thiruvadanai, Ramanathapuram District.
 - 2 The Inspector of Police, S.P Pattinam Police Station, Ramanathapuram District.
 - 3 The Officer Incharge, District Mineral Foundation Trust, Ramanathapuram District.
 - 4 The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.G.MARICHAMY, Advocate (SR-8677[I] dated 11/08/2025)

ORDER
IN
CRL OP(MD) No.13138 and 13182 of 2025
Date :07/08/2025

NBF/02/09/2025/ 5P/6C

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