



CRL OP(MD). No.13469 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.13469 of 2025

Murugan,
S/o.Lakshmanan

... Petitioner/ A5

Vs

The State of Tamil Nadu,
Rep. by, the Sub-Inspector of Police,
Palani Town Police Station,
Dindigul District.
(Crime No.451 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.S.Kishore Kumar,
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.451 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/ A5, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 305(e) of BNS, 2023 in Crime No.451 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 15.07.2025, based on secret information, the de-facto complainant, who is the Village Administrative Officer of Palani Town, went to the place of occurrence and found the petitioner illegally excavating vandal sand from private land in Survey Nos.298/1 and 299/1A without any valid permit. The de-facto complainant seized three tipper lorries, each carrying three units of vandal sand. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and is in no way connected with the alleged occurrence as stated by the prosecution. He has been falsely implicated in this case. He further submitted that A1 and A2 were arrested and subsequently released on bail by the learned Principal Sessions Judge, Dindigul on 31.07.2025 in CrI.M.P.No.1515 of 2025, and A6 has been granted anticipatory bail by this Court on 14.08.2025 in CrI.O.P.(MD)No.13536 of 2025. He, however, submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.



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4. The learned Government Advocate (Criminal Side) submitted that there are totally six accused persons in this case and the petitioner has been arrayed as A5. A1 and A2 were arrested and subsequently released on bail by the learned Principal Sessions Judge, Dindigul on 31.07.2025 in CrI.M.P.No.1515 of 2025, and A6 has been granted anticipatory bail by this Court on 14.08.2025 in CrI.O.P.(MD)No.13536 of 2025. He further submitted that the entire properties have been recovered. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, the nature of the offence, and considering the quantity of minerals involved, and also taking note of the fact that the entire properties have already been recovered, and that as the date of registration of FIR is 15.07.2025, by this time most of the investigation might have been completed, 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 bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Palani District, 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 the police officer who intends to arrest or to the satisfaction of



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the learned Judicial Magistrate, Palani, failing which, the petition for anticipatory bail

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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.9,000/- (Rupees Nine Thousand only)* to the credit of *the District Mineral Foundation Trust, Dindigul District* as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Palani shall accept the sureties furnished by the petitioner;

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

(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



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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/-
19/08/2025

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/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn
TO

- 1 The Judicial Magistrate, Palani.
- 2 The Sub-Inspector of Police, Palani Town Police Station, Dindigul District.
- 3 The Officer Incharge, District Mineral Foundation Trust, Dindigul District.
- 4 The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1. CC to S.KISHORE KUMAR Advocate SR.No.53542(F) dated 22/08/2025

ORDER
IN
CRL OP(MD) No.13469 of 2025
Date :19/08/2025



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NBF/15/09/2025/ 6P/6C

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