



CRL OP(MD). No.13501 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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1.Mohamad Rafeek @ Mohamad Raffik,
S/o.Akbar Ali.

2.Balakumar,
S/o.Ramasamy.

: Petitioners/ A1 & A2

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Keeranur Police Station,
Dindigul District.
(Crime No.161 of 2025)

: Respondent/Complainant

For Petitioners : Mr.T.Indrachithu,
Advocate

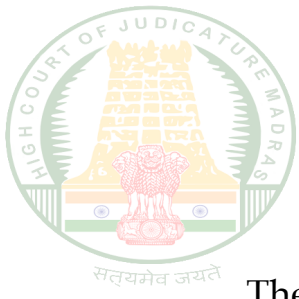
For Respondent : Mr.S.Prakash,
Government Advocate
(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.161 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under section 305(e) of BNS and Section 194(1) of Motor Vehicles Act 1988, in Crime No.161 of 2025 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 29.07.2025, when the respondent police were on routine vehicle checkup, the petitioners illegally transported 6 unit of gravel sand by using a Tipper Lorry. Hence, a case has been registered.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, and they have been falsely implicated in this case. He further submitted that the petitioners are 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) submitted that there are totally two accused persons involved in this case. The petitioners have been arrayed as A1 and A2. The petitioners illegally transported 6 unit of gravel sand by using a Tipper Lorry. He further submitted that the properties have already been recovered and the petitioners are not having previous case for similar in nature. However, he objected to grant anticipatory bail to the petitioners.

5.Taking into consideration of the facts and circumstances of the case and the nature of the offence and also taking note of the fact that the properties have been



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recovered and the petitioners are not having any previous cases similar in nature and considering the fact that as FIR has been registered on 30.07.2025, by this time most of the investigation might have been completed, this court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Palani, Dindigul 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 the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Palani, Dindigul District, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioners 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) each of the petitioners shall deposit a sum of ***Rs.15,000/- (Rupees Fifteen 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



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Judicial Magistrate, Palani, Dindigul District, shall accept the sureties furnished by the petitioners;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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 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;

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

sd/-
14/08/2025

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



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- 1.The Judicial Magistrate, Palani, Dindigul District.
- 2.The Inspector of Police, Keeranur 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.

ORDER
IN
CRL OP(MD) No.13501 of 2025
Date :14/08/2025

NBF/08/09/2025/ 5P/5C

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