



CRL OP(MD).No.13536 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

CRL OP(MD).No.13536 of 2025

N.Kanagaraj

..Petitioner/ Accused No.6

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Palani Town Police Station,
Dindigul District.
(Crime No.451 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.D.Venkatesh
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, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 305(e) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.451 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 15.07.2025, on receiving a secret information, the defacto complainant who is the VAO, Palani Village, went to the place of occurrence and found the petitioner taking sand illegally in a private land in Survey No.298/1 and 299/1A without valid permit. The defacto complainant seized 3 lorries and 3 units of sand. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. 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 to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner is the 6th accused in this case. The petitioner along with other accused persons were illegally transported nine(9) units of alluvial soil (வண்டல் மண்) without having any valid license or permit. The entire properties were recovered by



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the respondent police. There is no previous case against this petitioner. However, the 1 and 2 accused were arrested and enlarged on bail in Crl.M.PNo.1515 of 2025 dated 31.07.2025 by the Principal Sessions Court, Dindigul. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, the entire properties were recovered, FIR was registered on 15.07.2025, by this time most of the investigation might have been completed, there is no previous case against the petitioner, 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 Judicial Magistrate, Palani 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 learned Judicial Magistrate, Palani 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 make a non-refundable deposit of Rs.9,000/- (Rupees Nine Thousand only) to the credit of the Chairman/District Collector, District Mineral Foundation Trust of the concerned District, without prejudice to his defence before the trial Court and produce the acknowledgment at the time of executing bond;

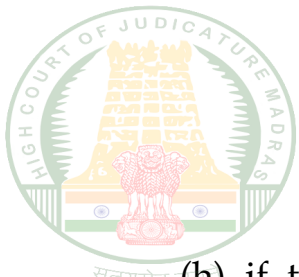
(c) the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate, Palani. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Palani;

(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/-
14/08/2025

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/09/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO:-

- 1.The Judicial Magistrate, Palani.
 - 2.The Inspector of Police,
Palani Town Police Station,
Dindigul District.
 - 3.The Chairman/District Collector,
District Mineral Foundation Trust,
Dindigul.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.D.VENKATESH, Advocate (SR-8868[I] dated 18/08/2025)

ORDER IN
CRL OP(MD) No.13536 of 2025
Date :14/08/2025

SBN/09.09.2025 5P/6C

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