



CRL OP(MD). No.13739 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 20/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Chandrabose

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Silaiman Police Station,
Madurai District.
(Crime No.196 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.M.Divakaran

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.196 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent



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police for the offences punishable under Sections 303(2) of BNS 2023 and Section 21 (1) of Mines and Minerals (Development & Regulation) Act, 1957 (MMDR Act), in Crime No.196 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Village Administrative Officer of Sakkimangalam Bit II Village, and on 05.08.2025 at about 05.00 a.m., the defacto complainant and his assistant involved in a village patrol as per the secret information received with regard to the sand theft, and the allegation is the the sand about 5 ½ units was theft by the accused persons without proper permission from the Government. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged occurrence as stated by the prosecution. He further submitted that co-accused had already been granted bail by the Special District Court to deal with the Cases of Offences in Contravention of the Provisions of the Mines & Minerals (D & R) Act, 1957, Madurai, in Crl.MP.No.4841 of 2025 dated 18.08.2025. He further submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submitted that there is no previous case pending against the petitioner and the property has been



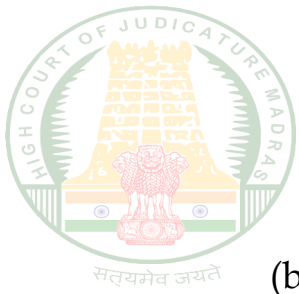
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recovered and the investigation has been completed. However, he opposed to grant
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anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and considering the fact that the property has been recovered and the investigation has been almost completed, this Court is inclined to grant anticipatory bail to the petitioner, with 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 on which the order copy made ready, before the learned Judicial Magistrate Court No.2, Madurai District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 the learned Judicial Magistrate Court No.2, Madurai District, failing which, the petition for anticipatory bail 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;



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(b) the petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of the District Mineral Foundation Trust, Madurai District as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate Court No.2, Madurai District, shall accept the sureties furnished by the petitioner;

(c) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate Court No.2, Madurai District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate Court No.2, Madurai 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 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/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
20/08/2025

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/09/2025

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

msrm

To

1. The Judicial Magistrate Court No.2, Madurai District.

2.The Inspector of Police, Silaiman Police Station, Madurai District.

3.The Additional Public Prosecutor,Madurai Bench of Madras High Court, Madurai.

COPY TO

The Officer Incharge, The District Mineral Foundation Trust, Madurai District.

+1 CC to M/s.M.DIVAKARAN, Advocate (SR-9014[I] dated 21/08/2025)

ORDER

IN

CRL OP(MD) No.13739 of 2025

Date :20/08/2025

PS/SAR.09.09.2025 5P/6C

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