



CRL OP(MD).No.13826 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.13826 of 2025

1. Jayakumar,
S/o.Singam

2. Sathiya,
W/o.Jayakumar

.. Petitioners/ Accused
Nos.1 & 2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Gandamanur Police Station,
Theni District.
(Crime No.141 of 2025)

.. Respondent/ Complainant

For Petitioners :Mr.S.Muniyandi
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.141 of 2025 on the file of the Respondent Police.



CRL OP(MD).No.13826 of 2025

ORDER : The Court made the following order :-

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The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS and Section 21(4) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.141 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 08.08.2025, while the respondent police had conducted routine surveillance, at that time, they found that they intercepted one tractor bearing registration No. TN 60 AK 7428, on seeing the police officials, the respondent police found that one unit of river sand was illegally transported in the said vehicle. Hence, the case.

3. The learned counsel for the petitioners would submit that the respondent police have lodged a false complaint against these petitioners. The petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. 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) would submit that these petitioners illegally transported one unit of river sand without having any valid license or permit. The respondent police had seized the entire properties. These



CRL OP(MD).No.13826 of 2025

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petitioners are husband and wife, they are the owner of the said vehicle. There is no previous case against these petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and considering the fact that the entire properties were recovered by the respondent police, the occurrence happened on 08.08.2025, by this time most of the investigation might have been completed, there is no previous case against this petitioner, 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 learned Judicial Magistrate, Andipatti, Theni District, on condition that the petitioner shall execute separate 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 learned Judicial Magistrate, Andipatti, Theni District and on further conditions 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;



CRL OP(MD).No.13826 of 2025

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[b] the petitioners shall make a non-refundable deposit of each Rs.7500/- (Rupees Seven Thousand Five hundred) to the credit of the Chairman/District Collector, District Mineral Foundation Trust of the concerned District, without prejudice to their defence before the trial Court and produce the acknowledgment at the time of executing bond;

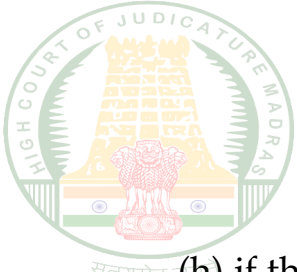
(c) the petitioners shall furnish their residential address and contact number to the learned Judicial Magistrate, Andipatti, Theni District. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Andipatti, Theni District;

(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 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;



CRL OP(MD).No.13826 of 2025

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

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sd/-
21/08/2025

/ TRUE COPY /

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

gvn
TO

- 1 The Judicial Magistrate,
Andipatti, Theni District.
- 2 The Inspector of Police,
Gandamanur Police Station,
Theni District.
- 3 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO

The Chairman/District Collector,
District Mineral Foundation,
Theni District.



CRL OP(MD).No.13826 of 2025

WEB COPY +1 CC to M/s.S.MUNIYANDI, Advocate (SR-9090[I] dated 22/08/2025)

ORDER
IN
CRL OP(MD) No.13826 of 2025
Date :21/08/2025

AS/11.09.2025/6P/6C

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