



CRL OP(MD)No.14511 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.09.2025

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

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Arunkumar

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
T.Kallupatti Police Station,
Madurai District.
(Cr.No.155 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Haroon Rasheed

For Respondent : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.155 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS, r/w. Section 21(1) of

Mines and Minerals (Development and Regulation) Act, 1957 and 3(1) of TN Public



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Property (Prevention of Damage & Loss) Act, 1992, in Crime No.155 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused illegally transported two unit of rock sand by using a JCB and a Tipper Lorry. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide by any stringent conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner has been arrayed as A3 in this case. A1 was arrested and subsequently released on bail. He further submitted that the entire properties have been recovered. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the nature of the offence allegedly committed by the petitioner and also considering the quantity of minerals involved and taking note of the fact that A1 was arrested and subsequently released on bail and that the entire properties have already been recovered and that as the date of registration of FIR is 28.08.2025, by this time material part of the investigation might have been completed, this Court is inclined to grant anticipatory



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bail to the petitioner, subject to certain conditions.

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6. Accordingly, the petitioner is ordered to be released on 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 learned Special Court for Mines and Minerals Cases, Madurai, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Special Court for Mines and Minerals Cases, Madurai, 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 his Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall furnish his residential address and mobile number to the learned Special Court for Mines and Minerals Cases, Madurai. In the event of any change in his residential address, the petitioner shall report the same to the learned Special Court for Mines and Minerals Cases, Madurai;

(c) the petitioner shall report before the respondent



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police daily at 10.30.a.m., until further orders.

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

(e) the petitioner 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 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;

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

sd/-
03/09/2025

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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 Special Court for Mines and Minerals Cases, Madurai.
2. The Inspector of Police, T.Kallupatti Police Station, Madurai District.
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.14511 of 2025
Date :03/09/2025

NBF/16/09/2025/ 5P/4C

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