

**CRL OP(MD). No.15017 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**( Criminal Jurisdiction )**

**Date : 11.09.2025**

**PRESENT**

**THE HONOURABLE MRS. JUSTICE S.SRIMATHY**

**CRL OP(MD)No.15017 of 2025**

Subbaiah @ Suresh

... Petitioner/ Accused No. 2

**Vs**

The State of Tamilnadu,  
Rep by the Inspector of Police,  
Srivaikundam Police Station,  
Thoothukudi District.  
(Crime No.375 of 2025)

... Respondent/Complainant

For Petitioner : Mr.K.P.Narayanakumar

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 Cr.No.375 of 2025 on the file of the  
respondent police.



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ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS and Section 21(5) of Mines and Minerals (Development and Regulation) Act, 1951, in Crime No.375 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the other accused had illegally transported four units of river sand. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that there are four previous cases pending against the petitioner.



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5. Taking into consideration of the facts and circumstances of the case and also considering the quantity of minerals involved, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Srivaikundam, 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 Magistrate concerned 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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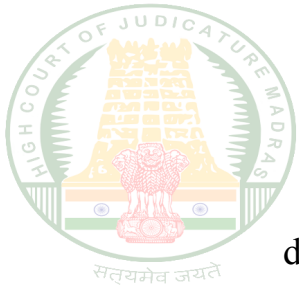
(b) the petitioner shall make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Madras High Court Madurai Bench Advocate Clerk's Welfare Association, Madurai, in the Indian Bank, High Court, Madurai Branch, Account No.496039124 IFSC No.IDIB000H040, without prejudice to his contentions and rights before the trial Court. Only on such deposit, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner;

(c) the petitioner shall report before the respondent police as and when required for interrogation. He has to co-operate for the investigation;

(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 petitioners released on bail by the learned Magistrate/Trial Court himself as laid



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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.

(S S Y J)  
11.09.2025

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To

1. The Judicial Magistrate No.I,  
Srivaikundam.
2. The Inspector of Police,  
Srivaikundam Police Station,  
Thoothukudi District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**S.SRIMATHY,J.**

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ORDER  
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