



CRL OP(MD). No.16035 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Kannan @ Jayakodi

2. Subramanian

... Petitioners/A-1 & 2

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
V.K.Puram Police Station,
Tirunelveli District.
(Crime No.433 of 2025)

... Respondent/Complainant

For Petitioners : Mr.C.Susikumar

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.433 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 305(2) of BNS, in Crime No.433 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have illegally transported stone from the Government Poromboke land. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have 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 four previous cases of a similar nature are pending against the petitioners.

5. Taking into consideration of the facts and circumstances of the



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case and also considering the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Ambasamuthiram, on condition that the petitioners shall execute a 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 Magistrate concerned 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;

(b) the petitioners shall do social service in the Cancer Ward of Tirunelveli Government Hospital, High Ground, Tirunelveli, for a period of two weeks, and thereafter, report before the respondent police daily at 10.30 a.m., until further



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orders;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) 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 down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

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

(S S Y J)
23.09.2025

jbr



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To

1. The Judicial Magistrate, Ambasamuthiram.
2. The Inspector of Police,
V.K.Puram Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

jbr

ORDER
IN
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