



CRL OP(MD). No.16598 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.09.2025**

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 16598 of 2025

1.Suriyaprakash

2.Dhanapandiyan

..Petitioners/A1 and A2

Vs

State Of Tamilnadu,

Rep By The Inspector Of Police,

Gandamanur Police Station,

Theni District.

(Crime No.182 of 2025)

Respondent(s)

For Petitioner(s):

Mr.S.Nanthakumar

For Respondent(s):

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.182
of 2025 on the file of the Respondent Police.



CRL OP(MD). No.16598 of 2025

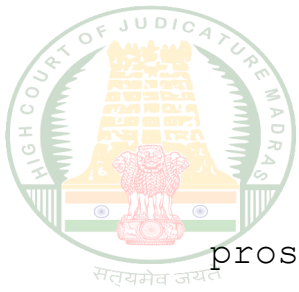
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ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS, 2023 and Section 21(4) of Mines and Minerals Development and Regulation Act, 1957, in Crime No.182 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had transported one unit of stream sand illegally by using tractor, without any permission. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they are no way connected with the alleged occurrence as stated by the



CRL OP(MD). No.16598 of 2025

prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. side) submitted that the entire property has been recovered. He further submitted that there are no previous cases pending against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also the fact that the property has been recovered and there are no previous cases pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.



CRL OP(MD). No.16598 of 2025

WEB COPY

6. Accordingly, this petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Aundipatti, Theni District, 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 the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Aundipatti, Theni District, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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



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CRL OP(MD). No.16598 of 2025

Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall furnish their residential addresses and mobile numbers to the learned Judicial Magistrate, Aundipatti, Theni District. In the event of any change in their residential addresses, the petitioners shall report the same to the learned Judicial Magistrate, Aundipatti, Theni District;

(c)each of the petitioners shall make a non refundable deposit of Rs.3,000/- (Rupees Three Thousand only) to the credit of the Headmaster, Panchayat Union Middle School, LKB Nagar, Sakkimangalam, Madurai in State Bank of India, Sakkimangalam Branch, Account No. 0733053000000794 IFSC No.SIBL0000733, MICR Code: 625059008, without prejudice to his contentions and rights before the trial Court, for purchasing 30 sets of Bench Desk for the Tribal students under "Namakku Naame" Scheme and on such



CRL OP(MD). No.16598 of 2025

WEB COPY

deposit being made, the learned Judicial Magistrate, Aundipatti, Theni District, shall accept the sureties furnished by the petitioners;

(d) the petitioners shall report before the **respondent police as and when required** for interrogation;

(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 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;



CRL OP(MD). No.16598 of 2025

WEB COPY

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

26.09.2025

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To

1.The learned Judicial Magistrate, Aundipatti,
Theni District.

2.The Inspector Of Police,
Gandamanur Police Station,
Theni District.

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



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CRL OP(MD). No.16598 of 2025

S. SRIMATHY. J. ,

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Cr1.O.P. (MD) .No.16598 of 2025

Date : 26.09.2025