



CRL OP(MD). No.17483 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/10/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Vishu Alais Viswanathan

... Petitioner/Accused

Vs

The State of Tamilnadu Rep.By,
The Inspector of Police, Melatur Police
Station, Thanjavur District
(Crime No.312 of 2025).

... Respondent/Complainant

For Petitioner : Mr.D. Rajaboopathy
Advocate

For Respondent : Mr.S.S. Manoj
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.312 of 2025 on the file of the
respondent police

ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS, 2023 and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.312 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 03.10.2025 at 5.00 am, on receiving a secret information, the respondent Police conducted a vehicle check up and at that time, the petitioner herein is said to have illegally transported 3 units of of river sand by using a Lorry and the same has been recovered. Hence, the complaint.

3. The learned Government Advocate (Crl. side) would submit that there are four previous cases pending against the petitioner and the investigation of the case is pending.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the

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respondent police.

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5. Considering the facts and circumstances of the case and also the fact that the property has been recovered, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, 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 learned Judicial Magistrate No.III, Thanjavur, within a period of fifteen days from the date of receipt of a copy of this order 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 Aadhaar card or bank pass book to ensure their identity;



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(b) the petitioner is directed to deposit a sum of **Rs. 5,000/- (Rupees Five Thousand only)** to the credit of **Madurai Bench of Madras High Court Advocate Clerk's Welfare Association, Madurai - 625023 (Account No:-496039124, IFSC Code:-IDIB000H040)**, without prejudice to his rights and contentions before the trial Court and produce the receipt / acknowledgment before the concerned Court while executing sureties;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one week and thereafter, as and when required for interrogation;

[d]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioner shall not abscond either during investigation or trial.



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[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 is 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].

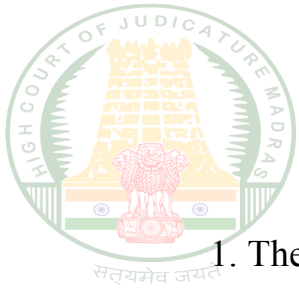
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

(S S Y J)
13.10.2025

TRP

TO

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1. The Judicial Magistrate No.III, Thanjavur,
2. Do-Through The Chief Judicial Magistrate,
Thanjore District.
3. The Inspector of Police, Melatur Police
Station, Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY,J

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ORDER
IN
CRL OP(MD) No.17483 of 2025

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