



CRL OP(MD). No.17880 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 15/10/2025

PRESENT

THE HONOURABLE MRS JUSTICE S.SRIMATHY

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1.R.Rajasekar

2.G.Palanivel

... Petitioners/Accused

Vs

The State of Tamil Nadu,
Rep By The Inspector of Police,
Thondi Police Station,
Thiruvadanai Taluk,
Ramanathapuram District.
(Crime No.216 of 2025)

... Respondent/Complainant

For Petitioners : Mr.S.Atham Ali
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 Cr.No.216 of 2025 on the file of the
respondent police.



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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 21(4) of Mines & Minerals (Development & Regulation) Act, 1957 and Section 303(2) of BNS, in Crime No.216 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have transported $\frac{1}{4}$ unit of Savudu sand illegally by using vehicle, 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 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 seek anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. side) submitted that there are two previous cases pending against the petitioners and the property has been recovered. 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, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

6. Accordingly, 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 Court, Thiruvadanai, on condition that each of 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 the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate Court, Thiruvadanai, failing which, the petition for anticipatory bail shall stand dismissed and



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on further condition that:

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(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 make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Advocate Clerk's Welfare Association, Madurai Bench of Madras High Court, Indian Bank, Madurai Branch, Account No.496039124 IFSC No.IDIB000H040, without prejudice to their contentions and rights before the trial Court, and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioners;

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



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(e) the petitioners 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 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;

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

(S S Y J)
15.09.2025

msrm

To

1. The learned Judicial Magistrate Court,
Thiruvadanai.
2. The Inspector of Police,
Thondi Police Station,
Thiruvadanai Taluk,
Ramanathapuram 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
IN
CRL OP(MD) No.17880 of 2025**

Date : 15.10.2025