



CRL OP(MD). No.18079 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.10.2025

PRESENT

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD). No.18079 of 2025

1. Santhoshkumar
2. Sudhakar

... Petitioners/Accused

Vs

The State of Tamilnadu,
Represented by the Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No.467 of 2025)

... Respondent/Complainant

For Petitioners : Mr.R.Senthilkumar

For Respondent : M/s.M.Aasha
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.467 of 2025 on the file of the respondent police.



CRL OP(MD). No.18079 of 2025

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), 324(2), of BNS 2023 and 21(1) of Mines & Minerals (Development & Regulation) Act 1957, in Crime No.467 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused persons had illegally transported 3 units of river sand by using 3 lorries, without any permission. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners have not taken any sand from the river; they have taken sand from their own patta land. 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 for the petitioners.



CRL OP(MD). No.18079 of 2025

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there are six previous cases pending against the 1st petitioner and there are three previous cases pending against the 2nd petitioner. She further submitted that the property has been recovered. However, she vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and since the petitioners had complied with the conditions imposed by this Court dated 16.10.2025, 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, Manamadurai, on condition that each of the petitioner shall execute a separate 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



CRL OP(MD). No.18079 of 2025

arrest or to the satisfaction of the learned Judicial Magistrate Court, Manamadurai, 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 Aadhar card or Bank pass Book to ensure their identity;

(b) each of the petitioner shall make a non refundable deposit of Rs.3,000/- (Rupees Three Thousand only) to the credit of the Women Advocates Association, Madurai Bench of Madras High Court (Account No: 6477041768, IFSC Code:- IDIB00H040, Indian Bank, High Court Branch, Madurai) for the purpose of maintaining Creche, 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.



CRL OP(MD). No.18079 of 2025

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

(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)
30.10.2025

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CRL OP(MD). No.18079 of 2025

To
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- 1.The learned Judicial Magistrate Court,
Manamadurai.
- 2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.18079 of 2025

S.SRIMATHY, J.

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**ORDER
IN
CRL OP(MD) No.18079 of 2025**

30.10.2025