



CRL OP(MD). No.18584 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.18584 of 2025

1. Jerlin Christopher

2. Babulian

... Petitioners/A-1 & 2

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Kotticode Police Station,
Kotticode,
Kanniyakumari District.
(Crime No.176 of 2025)

... Respondent/Complainant

For Petitioners : Mr.N.Pragalathan

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

1/6



CRL OP(MD). No.18584 of 2025

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 Sections 303(2), 337, 340(2) of BNS, 2023 and Section 21(1) of Mines and Mineral (Development & Regulation) Act, 1957, in Crime No.176 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had illegally transported jalli stones without any valid pass. Hence, the complaint.

3. The learned counsel appearing 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 A-1 is only a driver. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the petitioners had illegally transported jalli stones without any valid pass. He further submitted that second



CRL OP(MD). No.18584 of 2025

petitioner / A-2 has already been arrested. Therefore, he vehemently opposed for grant of anticipatory bail to the first petitioner.

5. Considering the fact that the second petitioner / A-2 has already been arrested, this Criminal Original Petition is dismissed as infructuous, insofar as the second petitioner / A-2 is concerned.

6. Considering the fact that the first petitioner / A-1 is only a driver and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the first petitioner.

7. Accordingly, this Petition is allowed and the first petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Padmanabapuram, Kanniyakumari 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 to the Police Officer, who intends to arrest or to the satisfaction



CRL OP(MD). No.18584 of 2025

of the learned Magistrate concerned and on further conditions that:

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(a) the first 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the first petitioner shall report before the respondent police daily at 10.30 a.m until further orders. He has to co-operate for the investigation;

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

(d) the first petitioner 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 first petitioner 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.18584 of 2025

(f) if the accused thereafter abscond, a fresh FIR can be

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(S S Y J)
25.10.2025

jbr

To

1. The Judicial Magistrate No.I,
Padmanabapuram, Kanniyakumari District.
2. The Inspector of Police,
Kotticode Police Station,
Kotticode,
Kanniyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD). No.18584 of 2025

S.SRIMATHY,J.

jbr

ORDER
IN
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