



CRL OP(MD). No.18640 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27.10.2025

PRESENT

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD). No.18640 of 2025

M.Prabhakaran

... Petitioner/Accused

Vs

The State of Tamilnadu,
Represented by the Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.
(Crime No.568 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.Lenin Prabu

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



CRL OP(MD). No.18640 of 2025

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS and 4(1)(1-A), 21(1) of MM & DR Act, in Crime No.568 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had illegally transported one unit of river sand by using vehicle, without any permission. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there is no previous case pending against the petitioner and the property has been recovered.



CRL OP(MD). No.18640 of 2025

However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that there is no previous case pending against the petitioner and the property has been recovered, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate Court, Rajapalayam, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the Judicial Magistrate Court, Rajapalayam, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or



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CRL OP(MD). No.18640 of 2025

Bank pass Book to ensure their identity;

(b)the petitioner shall make a non refundable deposit of Rs.2,000/- (Rupees Two 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 his contentions and rights before the trial Court, and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

(e) the petitioner 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 petitioner in accordance with law as if the



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CRL OP(MD). No.18640 of 2025

conditions have been imposed and the 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;

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

(S S Y J)
27.10.2025

msrm

To

- 1.The Judicial Magistrate Court,
Rajapalayam.
- 2.The Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.18640 of 2025

S.SRIMATHY, J.

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**ORDER
IN
CRL OP(MD) No.18640 of 2025**

27.10.2025