



CRL OP(MD). No.19049 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31.10.2025

PRESENT

THE HONOURABLE MRS JUSTICE S.SRIMATHY

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Rajakumari

... Petitioner/Accused

Vs

The State of Tamilnadu,
Represented by the Inspector of Police,
Natchiyarkovil Police Station,
Natchiyarkovil,
Kumbakonam Taluk,
Thanjavur District.
(Crime No.661 of 2024)

... Respondent/Complainant

For Petitioner : Mr.B.Prahalad Ravi

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.661 of 2024 on the file of the respondent police.



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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(3) of BNS Act 2023 r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.661 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had illegally transported 5 ½ units of river sand. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner had already been granted anticipatory bail by this Court in CrI.OP(MD).No. 15455 of 2024 dated 13.09.2024, however, the petitioner was not able to execute the sureties in time. 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.



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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. However, she 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 her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Kumbakonam, 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 learned Judicial Magistrate No.II, Kumbakonam,



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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 Bank pass Book to ensure their identity;

(b)the petitioner shall make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Tamil Nadu Advocate's Welfare Fund, Trustee Committee, Account No.V00047, Indian Bank, High Court Branch, IFSC Code IDIB000M157, without prejudice to her 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;



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(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 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)
31.10.2025

msrm
To

- 1.The learned Judicial Magistrate No.II,
Kumbakonam.
- 2.The Inspector of Police,
Natchiyarkovil Police Station,
Natchiyarkovil,
Kumbakonam Taluk,
Thanjavur 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.19049 of 2025**

31.10.2025