



CRL OP(MD). No.18852 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

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Date : 29.10.2025

PRESENT
The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1.Lijo Sing
2.Sanjai
3.Vishnu

.. Petitioners/Accused Nos.1,2&3

Vs

The State of Tamil Nadu,
Rep., by the Inspector of Police,
Thucklai Police Station,
Kanyakumari District.
(Crime No.659 of 2025).

... Respondent/Complainant

For Petitioner : Mr.M.R.Sreenivasan

For Respondent : Mr.S.S.Manoj

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- C-33AB. For Bail in Crime No.659 of 2025 on the file of the Respondent Police.

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) of BNS, 2023, and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.659 of 2025 on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that the petitioners had illegally excavated red sand from the land belongs to one Duraimani with the help of two Poclain vehicle and transported by using two tipper tempos without any permission. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and there 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 seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. side) submitted that the entire property has been recovered and the investigation is almost completed and there are no previous cases pending against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and the property has been recovered, this Court is inclined to grant



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anticipatory bail to the petitioners, with certain conditions.

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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 Judicial Magistrate No.I, Padmanabhapuram, Kanyakumari District, on condition that the petitioners 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 No.I, Padmanabhapuram, Kanyakumari District, 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) the petitioners shall report before the respondent police as and when required;

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

(d) the petitioners shall not abscond either during investigation or trial;



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(e) 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;

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

29.10.2025

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To

1. The Judicial Magistrate No.I,
Padmanabhapuram, Kanyakumari District.

2. The Inspector of Police,
Thucklai Police Station, Kanyakumari District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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