



CRL OP(MD). No.19208 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.19208 of 2025

Pothiyappan

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thiruchitirambalam Police Station,
Thanjavur District.
(Crime No.315 of 2025)

... Respondent/Complainant

For Petitioner : Mr.N.Balasubramanian

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



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ORDER : The Court made the following order :-

The petitioner/Accused, 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 Mines and Minerals (Development and Regulation Act), 1957, in Crime No.315 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had illegally transported quarter unit of river sand. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the petitioner had illegally transported river sand.



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5. Taking into consideration of the facts and circumstances of the case and also considering the quantity of minerals involved, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the 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 District Munsif cum Judicial Magistrate, Perayurani, Thanjavur District, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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;



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(b) the petitioner shall make a non refundable deposit of Rs.2,000/- (Rupees Two Thousand only) to the credit of the Headmaster, Government High School, G Udayapatty, Kulithalai, State Bank of India, Kulithalai Branch, Account No.31470991902, IFSC No.SBIN0000863, MICR Code: 639002051, without prejudice to his contentions and rights before the trial Court. 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 until further orders.

(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 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*



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Kerala [(2005) AIR SCW 5560]; and;

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

(S S Y J)
03.11.2025

jbr

To

1. The District Munsif cum Judicial Magistrate,
Perayurani, Thanjavur District
2. The Inspector of Police,
Thiruchitirambalam Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

jbr

ORDER
IN
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