



CRL OP(MD). No.19187 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.19187 of 2025

Ayyadurai @ Prabhu

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu,
Rep by the Sub Inspector of Police,
Poovanthi Police Station,
Sivagangai District.
(Crime No.158 of 2025)

... Respondent/Complainant

For Petitioner : Mr.K.Mahalakshmi

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.158 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, 21(4) of Mines and Mineral (Development and Regulation) Act, 1957 and Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992, in Crime No.158 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, along with other accused persons, had illegally transported soil from the defacto complainant's land and caused damage to the property. 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. He further submits that the co-accused has already been granted bail. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that petitioner, along with other accused persons, had illegally transported soil from the defacto complainant's land and caused damage to the property. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the fact that the co-accused has already been granted bail, 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, Thiruppuvanam, 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



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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;

(b) the petitioner is directed to pay a sum of Rs.10,000/- (Rupees Ten Thousand only) to the defacto complainant. The petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

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

(d) the 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 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;



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(f) 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,
Thiruppuvanam.
2. The Sub Inspector of Police,
Poovanthi Police Station,
Sivagangai 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.19187 of 2025

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