



CRL OP(MD). No.19655 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/11/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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S.Rajan,

S/o.Sarangarajan

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu

Rep. by the Inspector of Police,

Amathur Police Station,

Virudhunagar District.

(Crime No.259 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.M.Anantha Murugan,
Advocate

For Respondent : Ms.M.Aasha,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.259 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

1/6



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The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS, 2023 r/w. Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.259 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner illegally transported 3 units of red sand without any valid transit permission. Hence, the complaint.

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

4. The learned Government Advocate (Criminal Side) submitted that the petitioner is having no previous cases. However, she opposed for



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grant of anticipatory bail to the petitioner.

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5. Considering the facts and circumstances of the case and since the petitioner is having no previous cases, 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, 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 learned Judicial Magistrate No.II, Virudhunagar, within a period of fifteen days from the date of receipt of a copy of this order 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 Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner is directed to pay a sum of Rs. 3,000/- (Rupees Three thousand only) to the credit



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of the Tamil Nadu Advocate's Welfare Fund, Trustee Committee, Tamil Nadu & Puducherry, Account No.V00047, Indian Bank, High Court Branch, IFSC Code IDIB000M157, 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. until further orders;

[d] the petitioner shall not tamper with the 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 petitioner is released on bail by the learned



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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 thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

07.11.2025

PJL

To

- 1.The Judicial Magistrate No.II,
Virudhunagar.
- 2.The Inspector of Police,
Amathur Police Station,
Virudhunagar 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
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