



CRL OP(MD). No.19790 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/11/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Mariselvam

2. Madasamy

... Petitioners/Accused

Vs

The State of Tamilnadu, Rep.,

By the Inspector of Police,

Kayathar Police Station,

Thoothukudi District.

(Crime No.370 of 2025).

... Respondent/Complainant

For Petitioners : Mr. M..Prabu
Advocate.

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

PRAYER :-

For Anticipatory Bail in Crime No.370 of 2025 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

1/6



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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 Mines and Minerals (Development & Regulation) Act 1957, in Crime No.370 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are said to have illegally transported 3 units of river sand by using a Tipper Lorry. Hence, the complaint.

3. The learned Government Advocate (Crl. side) submitted that there are three and two previous cases pending against the petitioners 1 and 2 respectively. Hence, he opposed to grant anticipatory bail to the petitioners.

4. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. side) appearing for the respondent Police.



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5. Taking into consideration of the facts and circumstances of the case and also the fact that the property has been recovered, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Kovilpatti, within a period of fifteen days from the date of receipt of a copy of this order and on further conditions 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;



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(b) the petitioners shall make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Headmaster, Government Model Girls Higher Secondary School, Y. Othakadai, Madurai, in SBI Account No.10968750674, IFSC.No.SBI0002246, State Bank of India, Y. Othakadai, Madurai, without prejudice to his contentions and rights before the trial Court and on such deposit being made, the Magistrate concerned, shall accept the sureties furnished by the petitioners;

(c) the petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

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

(e) the petitioners 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 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



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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)
10.11.2025

TRP

TO

1. The Judicial Magistrate No.II, Kovilpatti
2. The Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY,J

TRP

ORDER
IN
CRL OP(MD) No.19790 of 2025

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