



CRL OP(MD). No.19892 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/11/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.19892 of 2025

1.Magesh Kumar
2.Mathankumar
3.Karthik

... Petitioners/A1 to A3

Vs

State of Tamilnadu
Rep by Inspector of Police,
Velliyanai Police Station,
Karur District.
(Crime No.325 of 2025).

... Respondent/Complainant

For Petitioners : Mr.P.Pratheesh
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.325 of 2025 on the file of the respondent Police.



CRL OP(MD). No.19892 of 2025

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS and Section 21(1) of the Mines and Minerals (Development & Regulation) Act, in Crime No.325 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had illegally transported 3 ½ units of gravel sand without any permission from the concerned authorities. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there is one previous case



CRL OP(MD). No.19892 of 2025

pending against the petitioners 1 and 3. She further submitted that there is no previous case pending against the 2nd petitioner. She further submitted that the property has been recovered. However, She vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering 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, subject to certain conditions.

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 learned Judicial Magistrate No.II, Karur District, on condition that each of the petitioner shall execute a separate 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 learned Judicial Magistrate No.II, Karur District, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



CRL OP(MD). No.19892 of 2025

WEB COPY

(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 make a non refundable deposit of Rs.2,000/- (Rupees Two Thousand only) to the credit 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 their contentions and rights before the trial Court, and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioners;

(c) the petitioners shall report before the respondent police 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;



CRL OP(MD). No.19892 of 2025

(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 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)
11.11.2025

msrm

To

1. The Judicial Magistrate – II
Karur District.
2. The Inspector of Police,
Velliyanai Police Station,
Karur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.19892 of 2025

S.SRIMATHY,J

msrm

ORDER
IN
CRL OP(MD) No.19892 of 2025

Date : 11/11/2025