



CRL OP(MD)No.19902 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 12.11.2025

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

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Sivarajan

... Petitioner/
Accused No.1

Vs

The State of Tamil Nadu
Represented by
The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
[in Crime No.708 of 2025]

... Respondent/
Complainant

For Petitioner : Mr.S.Vikram

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.708 of 2025 on the file of the
Respondent Police.

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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 303(2) of BNS r/w.21(1) of Mines and Minerals (Development and Regulation) Act, in Crime No.708 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had transported 1/4 unit of sand illegally in his bullock cart, without any permission. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged occurrence as stated by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. side) submitted that the entire property has been recovered and there is one previous case pending against the petitioner. However, she opposed to grant anticipatory bail to the petitioner.

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 petitioner, with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate, Pattukottai, 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 the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Pattukottai, Thanjavur District, failing which, the petition for anticipatory bail shall stand



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dismissed and on further condition that:

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(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 shall make a payment of Rs.2,000/- (Rupees Two Thousand only) in favour of “the Headmaster, Government Model Girls Higher Secondary School, Y.Othakkadai, Madurai, in SBI Account No. 10968750674, IFSC No.SBI0002246, State Bank of India, Y.Othakkadai, Madurai. This fund shall be utilized for the purpose of purchasing furniture (Benches & Desks) for newly constructed class rooms under "Namakku Naame" Scheme. After payment, the petitioner shall produce the receipt/acknowledgement before the concerned Court along with surety affidavit;

(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



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conditions have been imposed and the petitioner 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.

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(S S Y J)
12.11.2025

TO

1. The Judicial Magistrate,
Pattukottai, Thanjavur District.
2. The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Headmaster,
Government Model Girls Higher Secondary School,
Y.Othakkadai, Madurai.



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S.SRIMATHY,J.

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