



CRL OP(MD). No.20559 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/11/2025

PRESENT

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

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Nithishwaran .. Petitioner/Accused No.2

Vs

State rep. By
The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.
(Crime No.204 of 2025) .. Respondent/Complainant

For petitioner : Mr.C.Aravinthsamy

For Respondent : M/s.M.Aasha
Government Advocate(crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.204 of 2025 on
the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) BNS Act, (379 IPC) and Section 21(iv) of Mines and Minerals (Development and Regulation) Act, 1957 Crime No.204 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused persons had illegally transported $\frac{1}{2}$ unit of sand in tipper lorry bearing Registration Nos.TN 72 AE 9180 and RN 55 T 4282 along with a JCB. Hence, the case.

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. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) submitted that A-2 is the driver of the vehicle, that A-1 has already been arrested, and that A-3 is absconding. He further submitted that one previous case is pending against the petitioner.

5. Considering the facts and circumstances of the case and also considering the quantity of minerals involved, 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 anticipatory bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvadanai, Ramanathapuram District, on condition that the petitioner shall execute separate 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 respondent Police or to the



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Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Thiruvadanai, Ramanathapuram District, 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 shall furnish their residential address and contact number to the learned Judicial Magistrate, Thiruvadanai, Ramanathapuram District. In the event of any change in their residential address, the petitioner shall report the same to the learned Judicial Magistrate, Thiruvadanai, Ramanathapuram District.

(c) the petitioner shall appear and sign before the respondent police daily at 10.30 a.m., for a period of one week and thereafter, as and when required for investigation;

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



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(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 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 thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

(S S Y J)
19.11.2025

jbr

TO

1.The learned Judicial Magistrate,
Thiruvadanai, Ramanathapuram District

2. The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S. SRIMARTHY, J

jbr

ORDER
IN
CRL OP (MD) No.20559 of 2025

Dated : 19/11/2025