



CRL OP(MD). No.22762 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.12.2025

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

CRL OP(MD)No.22762 of 2025

Esakkimuthu

... Petitioner/ Accused

Vs

The State of Tamil Nadu
Represented by The Inspector of Police,
Manimuthar Police Station,
Tirunelveli District.
(Crime No.240 of 2025)

... Respondent

For Petitioner : Mr.P.Balamurugan

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.240 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/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2), 326(b) of BNS Act 2023 and Section 3(2) of Tamil Nadu Public Property (Prevention of Damage and Loss) TNPPDL Act 1992, in Crime No.240 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first accused had illegally transported two units of red sand at the instigation of this petitioner without any valid permission from the concerned authorities. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the District Collector, Tirunelveli had issued a work order in Lr.No.A10/39382/2025 dated 18.11.2025 for the purpose to build the new drainage channel for the people who are shifted from Monjolai tea estate, while digging the side of road the abundant sand causes accident therefore the abundant



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sand was stored 100 meters from the work place. He further submitted that the petitioner is ready and willing to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submitted that the property has been recovered and there is one previous cases pending against the petitioner. However, he 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 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 Judicial Magistrate Court, Alangulam, Tenkasi District, within a period



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of fifteen days from the date on which, the order copy was made ready 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 shall appear before the respondent police daily at 10.30 a.m., until further orders.

[c]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioner shall not abscond either during investigation or trial.

[e]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 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].



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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of BNS.

(S S Y J)
12.12.2025

msrm

To

- 1.The Judicial Magistrate Court,
Alangulam, Tenkasi District.
- 2.The Inspector of Police,
Manimuthar Police Station,
Tirunelveli 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
CRL OP(MD). No.22762 of 2025**

12.12.2025