



Crl.O.P.(MD)No.23383 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.12.2025

PRESENT

The HONOURABLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD)No.23383 of 2025

1. Rajkumar

2.Rajesh

3.Mathan @ Mathanraj

4.Deva

... Petitioner(s)

Vs.

State of Tamil Nadu,

Represented by the Inspector of Police,

Swamimalai Police Station,

Thanjavur District.

(Crime No.509 of 2025)

... Respondent

For Petitioners : Mr.A.Joel Paul Antony

For Respondent : Mr.S.S.Manoj

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.509 of 2025 on the file of the respondent police.

ORDER: The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS, 2023 and 21(4)



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Mines and Minerals (Development and Regulation) Act, 1957, in Crime No. 509 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on the day on occurrence, the petitioners illegally taken 20 bags of river sand without valid license by using TATA ACE Vehicle. Hence, a case has been registered as against the petitioners.

3.The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and they have not committed any offence. He seeks this Court to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side) appearing for the respondent submitted that the offences committed by the petitioners are serious in nature. Further, there are no previous cases against the petitioners.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 Court No. II, Kumbakonam, Thanjavur District, within a period of fifteen days from the date on which the order made ready 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall make a non refundable deposit of Rs.10,000/- (Rupees Ten Thousand only) jointly to the credit of The Head Master, Government Higher Secondary School, Odaipatty, Theni District, in SBI Account No.11268003539, IFSC No.SBIN0000764, State Bank of India, South Car Street, Uthamapalayam, Theni District. This fund shall be utilized for the purpose of purchasing furniture (Benches & Desks) for newly constructed class rooms under " Namakku Name" Scheme, without prejudice to his 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;



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[c]the petitioners shall report before the respondent police daily at 10.30

a.m., for a period of two weeks and thereafter, as and when required.

[d]the petitioners shall not tamper with the 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 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].

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

18.12.2025

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1. Judicial Magistrate Court No. II,
Kumbakonam,
Thanjavur District.
- 2.The Inspector of Police,
Swamimalai Police Station,
Thanjavur 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
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