



CRL OP(MD)No.23453 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.12.2025

PRESENT

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

CrI.O.P.(MD)No.23453 of 2025

Thirumavalavan

...Petitioner/Sole Accused

Vs

The State of Tamil Nadu
The Inspector of Police,
Thanjavur West Police Station,
Thanjavur District.
(Crime No.327 of 2025)

.. Respondent/Complainant

For Petitioner : M/s.Dhilipan Pandian

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.327 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 offences punishable under Sections 303(2) of BNS Act, r/w 21(1) Mines and Mineral(D&R) Act, 1957, in Crime No.327 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 23.08.2025, when the defacto complainant was in the scene of occurrence, the accused legal was in illegal transportation of mineral river sand for sale without license. Hence, the case.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent person and he has never committed in this case. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner is having 5 previous cases and all are similar in nature. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the nature of offences, this Court is inclined to grant anticipatory bail to the petitioner.



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6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Thanjavur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.I, Thanjavur, 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 make deposit of **Rs.15,000/- (Rupees Fifteen Thousand only)** to the credit of **Crime No.327 of 2025**, without prejudice to his defence before the trial Court; and on such deposit being made, the learned Judicial Magistrate No.I, Thanjavur, shall accept the sureties furnished by the petitioner; the learned Judicial Magistrate No.I, Thanjavur shall deposit the said amount as fixed deposit in a Nationalized Bank and the entitlement of the said amount will be decided at the time of disposal of the main case.

(c) the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate No.I, Thanjavur. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.I, Thanjavur.



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(d) the petitioner is directed to do social service in Government Hospital, Thanjavur District, for a period of two weeks and thereafter shall appear before the respondent police daily at 10.30 a.m., until further orders.

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

(g)the petitioner shall not abscond either during investigation or trial;

(h)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;

(i)if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

18.12.2025

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S.SRIMATHY,J

RJR

To

1. The learned Judicial Magistrate No.I, Thanjavur.
2. The Inspector of Police,
Thanjavur West Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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