



CRL OP(MD). No.23982 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 26.12.2025

PRESENT

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CRL OP(MD)No.23982 of 2025

1. Kannan,  
S/o.Karuppiaah

2.Srinivasan,  
S/o.Sataiyah,

... Petitioners

Vs

State of TamilNadu  
rep. by  
The Inspector of Police,  
Keelavalavu Police Station,  
Madurai District.  
(In Crime No.248 of 2025)

... Respondent

For Petitioners : Mr.R.Boopathi

For Respondent : Mr.A.S.Abul Kalaam Azad  
Government Advocate(Crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of  
BNSS



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PRAYER :-

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For Anticipatory Bail in Cr.No.248 of 2025  
on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 & 3, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 303(2) of BNS, 2023 r/w. Section 21(5) of Mines and Minerals (Development & Regulation) Act, 1957 in Cr.No.248 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that in order to prevent the illegal mining, the VAO and the respondent police on 14.12.2025, had conducted surprise checkup, at that time, they found that the petitioners and other accused persons were illegally excavated wet gravel sand from a Well without getting any prior permission or permit.



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The respondent police seized the entire properties and registered a case. Hence, the case.

3. The learned Counsel for the petitioners would submit that the petitioners did not involved in any such illegal activities. The petitioners are falsely implicated in this case. The petitioners are innocents persons and they have been falsely implicated in this case. However, he submits that the petitioners are ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioners were illegally excavated wet gravel sand from a Well. There are no previous cases pending against the petitioners. However,



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on 25.12.2025, the 2<sup>nd</sup> petitioner/Accused No.3 was arrested by the respondent police. Hence, he prays to dismiss this Criminal Original Petition.

5. Considering the nature of the allegations and considering the fact that the entire properties were seized by the respondent police, there is no previous case against the petitioners. However, on 25.12.2025, the 2<sup>nd</sup> petitioner/Accused No.3 was arrested by the respondent police. In view thereof, the 1<sup>st</sup> petitioner/1<sup>st</sup> accused is concerned, this Criminal Original Petition is allowed. The 2<sup>nd</sup> petitioner/Accused No.3 is concerned, this Criminal Original petition is dismissed. Accordingly, this court is inclined to grant anticipatory bail to the 1<sup>st</sup> petitioner/1<sup>st</sup> accused alone with certain conditions:



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6. Accordingly, the 1<sup>st</sup> petitioner is ordered to be released on anticipatory 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, Melur, Madurai, on condition that the 1<sup>st</sup> petitioner shall execute 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 Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the 1<sup>st</sup> 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.



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[b] the 1<sup>st</sup> petitioner shall report before the respondent Police daily at 10.30a.m., until further orders.

[c] the 1<sup>st</sup> petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the 1<sup>st</sup> 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 1<sup>st</sup> 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

(M J R J)  
26.12.2025

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- 1.The Judicial Magistrate,  
Melur, Madurai.
2. The Inspector of Police,  
Keelavalavu Police Station,  
Madurai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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M. JOTHIRAMAN, J

GVN

ORDER  
IN  
CRL.OP (MD) .No.23982 of 2025

Dated : 26.12.2025