



CRL OP(MD). No.214 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 07/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Senthil

2. Udhaiyakumar

... Petitioners/Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Cholapuram Police Station,
Thanjavur District.
Cr.No.361 of 2025..

... Respondent/Complainant

For Petitioners : Gurumoorthy S,
Advocate.

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

PRAYER :-

C-33AB. For Anticipatory Bail in Cr.No.361 of
2025 on the file of the respondent police.

ORDER : The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS (Section 379 IPC) r/w Section 21(1) of the Mines and Minerals (Development & Regulation Act) 1957, in Crime No.361 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused persons have transported 3/4 unit of river sand illegally. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they are no way connected with the alleged occurrence as stated by the prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seek anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. side) submitted that the entire property has been recovered and the petitioners have no previous cases. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and since the property has been recovered, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the District Munsif cum Judicial Magistrate Court, Thiruvidadaimarudhur, on condition that each of 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

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respondent police or the police officer who intends to arrest or to the satisfaction of the District Munsif cum Judicial Magistrate, Thiruvidadaimarudhur, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Headmaster, Government Higher Secondary School, Samayanallur, Madurai District, in SBI Account No.35399383409, IFSC No.SBIN0016503, State Bank of India, Samayanallur Branch. This fund shall be utilized for the purpose of purchasing furniture (Benches & Desks) for newly constructed class rooms under 'Namakku Naame' Scheme; and on such deposit being made, the learned 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., until further orders;

(d) the petitioners shall not tamper with 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

07.01.2026

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TO

1. District Munsif cum Judicial Magistrate,

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Thiruvidaimarudhur.

2. The Inspector of Police,
Cholapuram 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
CRL OP (MD) No.214 of 2026

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