



CRL OP(MD). No.233 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1.Andro Jestin Durai @ Andruew Jestin Durai

2.Saravanankumar @ Sarvakumar ... Petitioners/Accused

Vs

The State of Tamilnadu,
Rep by Inspector of Police,
Thirukattupalli Police Station,
Thanjavur District,
Crime No.303 of 2025.

... Respondent/Complainant

For Petitioners : Mr.D. Rajaboopathy

For Respondent : Mr.A.S.Abul Kalaam Azad

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.303 of 2025 on the file of
the Respondent Police.



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ORDER : The Court made the following order :-

The petitioners/accused, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 303(2) of BNS, and 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.303 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners had illegally transported ten bags of sand without any valid permission or licence. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that no previous cases are pending against the



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petitioners.

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5. Taking into consideration of the facts and circumstances of the case and also considering the fact there are no previous cases pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District, on condition that the petitioner 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 Aadhar card or Bank pass Book to ensure their identity;



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(b) the petitioners shall make a non refundable deposit of Rs.2,000/- (Rupees Two Thousand only) to the credit of the Head Master, 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.

(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 petitioner 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;



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

(S S Y J)
08.01.2026

jbr

TO

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



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S.SRIMATHY,J

jbr

ORDER
IN
CRL OP(MD) No.233 of 2026

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