



CRL OP(MD). No.528 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 09/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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S. Kasi Rajan ... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Vembakkottai Police Station,
Virudhunagar District.
(Crime No.319/2025).

... Respondent/Complainant

For Petitioner : Jagadeeshwaran R,
Advocate.

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

PRAYER :- C-33 AB. For Anticipatory Bail in Crime
No. 319/2025 on the file of the respondent Police.

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 and 21(1) of the Mines
and Minerals (Development & Regulation Act), in Crime



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No.319 of 2024 on the file of the respondent police,
seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had transported three units of M-sand illegally without any permission. Hence, the complaint.

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

4. The learned Government Advocate (Crl. side) submitted that the entire property has been recovered and no previous case is pending against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.



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

6. Accordingly, the petitioners are ordered to be released on 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 No.II, Sattur, Virudhunagar District, on condition that 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 respondent police or the police officer who intends to arrest or to the satisfaction of the Judicial Magistrate No.II, Sattur, Virudhunagar District, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb



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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 a non refundable deposit of Rs.3000/- (Rupees Three thousand only), to the credit of the Head Master, Government Boys Higher Secondary School, Y.Othakadai, Madurai District, in SBI Account No.30162368975, IFSC No.SBIN0002246, State Bank of India, Y.Othakadai Branch, Madurai District. This fund shall be utilized for the purpose of purchasing furniture (Benches & Desks) for newly constructed class rooms under 'Namakku Naame' Scheme; on such deposit being made, the Magistrate shall accept the sureties furnished by the petitioner;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

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



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(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 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.

09.01.2026

PJL

To

1. Judicial Magistrate No.II,
Sattur, Virudhunagar District.

2. The Inspector of Police,
Vembakkottai Police Station, Virudhunagar District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY, J

PJL

ORDER
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