



CRL OP(MD). No.1085 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Sukumar

... Petitioner/Accused

Vs

The State of Tamil Nadu,
Rep By the Inspector of Police,
Eral Police Station,
Thoothukudi District.
Cr.No.638 of 2025.

... Respondent/Complainant

For Petitioner : Mr.P.T.Ramesh Raja

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Cr.No.638 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 303(2) of BNS, 2023 and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.638 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the other accused had illegally transported sand without any valid permission. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent Police submits that the petitioner and the other accused had



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illegally transported two units of savudu sand without any valid permission. He further submitted that four previous cases are pending against the petitioner. Therefore, he oppose for grant of anticipatory to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Srivaikundam, Ramanathapuram 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:



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(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 a non refundable deposit of Rs.10,000/- (Rupees Ten 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.

(c) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation;

(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 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 thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(S S Y J)
22.01.2026

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TO

- 1.The Judicial Magistrate No.II, Srivaikundam
- 2.The Inspector of Police,
Eral Police Station,
Thoothukudi 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
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