



CRL OP(MD). No.1748 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Hariharan Alias Manikandan

2. Kamalnath Alias Kamal

... Petitioners/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
Crime No.06 of 2026.

... Respondent/Complainant

For Petitioners : Mr.K.Rajiv Gandhi

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-For Anticipatory Bail in Crime No.06 of 2026 on the file of
the Respondent Police 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 Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.06 of 2026, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had illegally transported sand without any permit or license from the concerned department. 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 Additional Public Prosecutor appearing for the respondent Police submits that the petitioners had illegally transported two units of river sand. He further submitted that the first petitioner has



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no previous case and the second petitioner has one previous case pending against him.

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 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, Paramakudi, Ramanathapuram 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 petitioner is directed to deposit a sum of Rs.5,000/-(Rupees Five thousand only) to the credit of the Correspondent, Sethupathy Pandithurai Higher Secondary School Parent, having account in State Bank of India, Karimedu Branch, Account No.30033864969, Account Type:Regular Savings Bank Account, CIF No:85019457624, MICR Code:625002017; On such deposit being made, the learned Magistrate shall accept the sureties furnished by the petitioner;

(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



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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)
30.01.2026

jbr

TO

1. The Judicial Magistrate,
Paramakudi, Ramanathapuram District.
2. The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram 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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