



CRL OP(MD). No.1725 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.1725 of 2026

Sunil

... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Thuckalay Police Station,
Kanniyakumari District.
Crime No.16/2026.

... Respondent/Complainant

For Petitioner : Mr.A.Balakrishnan,

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.16 of 2026 on the file of the
respondent police

1/6



CRL OP(MD), No.1725 of 2026

ORDER : The Court made the following order :-

The petitioner/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.16 of 2026, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the other accused had illegally transported red soil 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 four previous cases are pending against the petitioner out of which three are of a similar nature. Therefore, he



CRL OP(MD), No.1725 of 2026

opposed the grant of anticipatory bail to the petitioner.

WEB COPY

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.I, Padmanabhapuram, 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:

(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;



CRL OP(MD), No.1725 of 2026

WEB COPY

(b) the petitioner is directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only), to the credit of Crime No.16 of 2026 before the learned Judicial Magistrate No.I, Padmanabhapuram. After receipt of entire amount, the learned Judicial Magistrate, shall deposit the said amount in an interest bearing Fixed Deposit in any Nationalized Bank initially for a period of one year and renew them periodically until the final order/Judgment is passed in the case in Crime No.16 of 2026. The learned Judicial Magistrate or Trial Court shall pass orders regarding entitlement of the said amount in its final order/Judgment;

(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;

(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



CRL OP(MD), No.1725 of 2026

WEB COPY

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)
30.01.2026

jbr

TO

1. Judicial Magistrate No.I, Padmanabhapuram
2. The Inspector of Police,
Thuckalay Police Station,
Kanniyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai



WEB COPY



CRL OP(MD), No.1725 of 2026

S.SRIMATHY,J

jbr

ORDER
IN
CRL OP(MD) No.1725 of 2026

Date : 30/01/2026