



CRL OP(MD). No.2021 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 03/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Arun

2. Pandiyan

... Petitioners/Accused

Vs

State of Tamilnadu Rep by,  
The Inspector of Police,  
Kombai Police Station,  
Theni District.  
Crime No.43 of 2026.

... Respondent/Complainant

For Petitioners : Mr.K.Rajiv Gandhi,  
Advocate.

For Respondent : Mr.S.S.Manoj,  
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.43 of 2026 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 r/w. Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.43 of 2026, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had illegally transported five units of sukkan sand. 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 petitioners.



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5. Taking into consideration of the facts and circumstances of the case and also considering the fact that no previous cases are 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, Bodinayakanur, Theni 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;

(b) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of one week and



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thereafter, as and when required for interrogation;

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(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) 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;

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

(S S Y J)  
03.02.2026

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TO  
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1. The Judicial Magistrate, Bodinayakanur, Theni District.
2. The Inspector of Police,  
Kombai Police Station,  
Theni 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  
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