



Crl.O.P.(MD)No.4925 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 09.03.2026

CORAM

The HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL OP(MD)No.4925 of 2026

Murugan @ Mathadu Murugan

... Petitioner

Vs.

The State of Tamil Nadu,
The Inspector of Police,
Gandamanur Police Station,
Theni District.
(Crime No.105 of 2026)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 482 of BNSS 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.105 of 2026 on the file of the respondent police.

For Petitioners : Mr.P.Praveenkumar

For Respondent : Mr.P.Kottai chamy

Government Advocate (Crl.Side)

ORDER:

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of Bharatiya Nyaya Sanhita an 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.105 of 2026, on the file of the respondent police, seeks anticipatory



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2.The case of the prosecution is that on 25.02.2026, the Special Sub-Inspector of Police received secret information regarding the unlawful transportation of river sand. Acting upon the said information, the police officials proceeded to the Old Ramachandrapuram river bed, where they found that the petitioner had allegedly transported $\frac{1}{4}$ unit of river sand illegally by using a tractor bearing Registration No.TN-60-F-1564. On seeing the police party, the petitioner is said to have escaped from the scene of occurrence. Subsequently, the respondent police seized the tractor along with $\frac{1}{4}$ unit of river sand. Thereafter, the respondent police registered a case against the petitioner for the alleged offences under Section 303(2) of the Bharatiya Nyaya Sanhita and Section 21(4) of the Mines and Minerals (Development and Regulation) Act, 1957.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent and false case has been registered against the petitioner. Therefore, she seeks anticipatory bail for the petitioner.



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4.The learned Government Advocate (Criminal Side) appearing for the respondent, on instructions, submitted that the petitioner has previous antecedents similar in nature. Therefore, he sought for dismissal of the petition.

5.This Court considered the rival submissions made by the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent and perused the materials available on record.

6.Taking into consideration of the facts and circumstances of the case and also the fact that the property has been recovered, this Court is inclined to grant anticipatory bail to the petitioner, on condition deposit a sum of Rs.5,000/- (Rupees Five Thousands only) as non-refundable for the vehicle to the credit of the Head Master, Sethupathi Government Higher Secondary School, Tiruchuli, Account No.30700985498, State Bank of India, Tiruchuli, IFSC Code: SBIN0003832 forthwith.

7.On receipt of such, non refundable amount, the petitioner is ordered to be released on bail in the event of arrest or on his appearance and within a period of fifteen days from the date of receipt of a copy of this order the



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petitioner shall appear before the learned Judicial Magistrate Court, Aundipatti, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum 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 learned Judge may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

(b)The petitioner shall report before the respondent police daily at 10.30 am., for the period of fifteen days, thereafter as when required for interrogation.

(c)The petitioner shall not tamper with the evidence or witness either during investigation or trial.

(d)The petitioner shall not abscond either during the 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 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].



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(f)If the accused thereafter absconds, a fresh FIR can be registered under
Section 269 of BNS.

09.03.2026

sbm

To

- 1.Judicial Magistrate No.I,
Aundipatti, Theni District.
- 2.The Inspector of Police,
Gandamanur Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J

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