



CRL OP(MD). No.5705 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE P.DHANABAL

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Kumaresan

... Petitioner / Sole Accused

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.
(Crime No.68 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, praying to grant anticipatory bail to the petitioner in Crime No.68 of 2026 on the file of the respondent police.

For Petitioner : Mr.K.M.Karunakaran

For Respondent : Mr.M.Karunanithi,
Government Advocate
(Criminal Side)



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ORDER : The Court made the following order :-

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The petitioner/accused, who apprehends arrest at the hands of the respondent police in Crime No.68 of 2026 for the offence punishable under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, seeks anticipatory bail.

2. The case of the prosecution is that on 28.02.2026, on receipt of secret information, the respondent police conducted a raid and found that the accused person had illegally excavated and transported 1/4 unit of gravel sand in a TATA Ace without any valid permit. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, has not committed any offence as alleged by the prosecution, and has been falsely implicated in this case. He further submitted that the petitioner is a law-abiding citizen and is ready and willing to furnish substantial sureties and to abide by any conditions that may be imposed by this Court. Therefore, he prayed for the grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner has 1 previous case. He further submitted that the petitioner had committed in the illegal transportation of minerals. Hence, he objected to the grant of anticipatory bail to the petitioner.

5. This Court heard the learned counsel on either side and perused the materials placed on record.

6. Considering the rival submissions made on either side, the nature of the offence, and taking into account that, though the petitioner has 1 previous case, bail has already been granted in the said case, and also considering the quantity of minerals involved in the present case, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, this petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order made



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ready, before the learned Judicial Magistrate Court, Peravurani, 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;

(b) the petitioner shall report before the respondent police on every Saturday at 10.00 a.m. for a period of four weeks and thereafter, as and when required for interrogation;

(c) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(d) the petitioner shall not leave India without the prior permission of the Court;



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(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 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]***.

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

23.03.2026

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To

- 1.The Judicial Magistrate Court,
Peravurani.
- 2.The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J.

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ORDER
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