



CRL OP(MD). No.5824 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 27/03/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Elisa,  
S/o. Asirvatham,

... Petitioner/Accused

Vs

State of Tamilnadu Rep by  
Inspector of Police,  
Puthukadai Police Station,  
Kanyakumari District.  
Crime No. 82/2026.

... Respondent/Complainant

For Petitioner : Mr.Sivakumar,  
For Respondent : Mr.P.Kottai Chamy,  
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.82 of 2026 on the file of the  
Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 303(2) of BNS, 2023, in Crime No.82 of 2026, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 15.03.2026, the respondent police, while on patrol near Chenatharai, noticed that the petitioner had removed red soil from the land of one Raju using a Bobcat E27 (Product Identification B4R81110) and loaded it into an Ashok Leyland Dost bearing Registration No. KL-20-H-1823. On seeing the police, the petitioner fled from the scene. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) fairly submits that the petitioner was in illegal possession of one unit of river sand. He further submits that the petitioner has no previous case. However, he opposes to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioner and the quantity involved in this case and also considering the fact that no previous case is pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 learned Judicial Magistrate No.2, Kuzhithurai, and on further conditions that:



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**[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 the interrogation.**

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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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[g] If the accused thereafter absconds, a fresh FIR can be

WEB COPY registered under Section 269 B.N.S.

(P D B J)  
27.03.2026

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TO

1. Inspector of Police,  
Puthukadai Police Station,  
Kanyakumari District.
2. 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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