



CRL OP(MD). No. 6418 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1.Thavedhu Periyasamy
2.Sundharalingam

...Petitioners/A1 & A2

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
(Crime No.53 of 2026)

...Respondent/Complainant

For Petitioners:Mr.Rajiv Gandhi
Advocate.

For Respondent :Mr.P.Kottai Chamy

Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482
of BNSS

PRAYER :- For Anticipatory Bail in Cr.No.53 of
2026 on the file of the respondent police.



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ORDER : The Court made the following order :-

WEB COPY The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent for the offences punishable under Section 303(2) of BNS, 2023, and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.53 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 25.03.2026, at about 08.30 p.m., the defacto complainant/Village Administrative Officer, had received a secret information and based on that, the defacto complainant along with police official went to the occurrence place and they found that the petitioners and other accused persons illegally transported three units of gravel sand by using JCB without getting any permission. Hence, the case.



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WEB COPY 3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they were falsely implicated in this case and they are no way connected in the above said incident. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioners and other accused person illegally transported three units of gravel sand by using JCB without any permission. He would further submit that the first petitioner has no previous cases and the second petitioner has one previous case. He would further submit that the investigation is still pending and the offences are grave in nature. Hence, he opposes to grant anticipatory bail to the petitioner.



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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 petitioners and the quantity of the materials involved in this case, and considering the fact that the first petitioner has no previous cases and though the second petitioner has one previous case, the same is not similar kind of offence and in that case, he was already released on bail, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on anticipatory bail on condition to 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



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Judicial Magistrate Court, Kamuthi,
Ramanathapuram District, and on further
conditions that:

**[b] the petitioners shall report
before the respondent Police daily at
10.30 a.m., for a period of 30 days and
thereafter, as and when required for
interrogation.**

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

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

[e] the petitioners 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
petitioners in accordance with law as if



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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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

(P D B J)

07.04.2026

vsg



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To
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1.The Judicial Magistrate Court, Kamuthi,
Ramanathapuram District,.

2.The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.,

vsg

ORDER
IN
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