



CRL OP(MD). No.6415 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 01/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.6415 of 2026

Sasikumar

... Petitioner/Rank Not Known

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Gandamanur Vilakku Police Station,
Theni District,
Crime No.158/2026.

... Respondent/Complainant

PRAYER :-

For Anticipatory Bail in Crime No.158/2026 on the file of the
respondent police

For Petitioner : C. Susikumar,
Advocate.

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

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 and 21(4) of Mines & Minerals (Development & Regulation) Act, 1957, in Crime No.158 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 25.03.2026, the respondent police received a secret information that some miscreants have to excavate and transport red sand. On receipt of the same, the respondent police went to the occurrence place and seized the vehicle along with sand. Hence, a case has been registered against the accused for the aforesaid offences. Hence, this petition.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has no way connected in the above said incident. He would further submit that the petitioner is the owner of the vehicle. Without his knowledge, the accused has committed the alleged offence. Apart from that, two days prior to the occurrence, the petitioner sold the vehicle.



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Without conducting proper enquiry, the respondent police foisted a case against him and no previous cases is pending against the petitioner.

Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) strongly opposed to grant anticipatory bail to the petitioner on the ground that though the petitioner is owner of the vehicle, only at his instance, the alleged occurrence was happened. However, he fairly conceded that the petitioners have no previous case.

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

6. Considering the rival submissions on either side and the nature of offences, and even according to the prosecution, the petitioner is the owner of the vehicle and the driver of the vehicle, who was involved in the said occurrence is still absconding, and the quantity involved in this case and no previous case is pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:



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[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, Aundipatti, and on further conditions that:

[b] the petitioner shall report before the respondent police, every Saturday at 10.30 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



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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 B.N.S.

01.04.2026

dss

To

- 1.The Judicial Magistrate,
Aundipatti.
- 2.The Inspector of Police,
Gandamanur Vilakku Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

dss

ORDER
IN
CRL OP(MD) No.6415 of 2026

Date : 01/04/2026