



CRL OP(MD). No. 6466 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1.S.Balasubramani

2.P.Thangeswaran ...Petitioners/A1 & A2

Vs

1.State of Tamil Nadu rep. by
The Inspector of Police,
T.Kallupatti Police Station,
Madurai District.

(Crime No.44 of 2026) ... Respondent

For Petitioners :Mr.C.M.Mari Chelliah Prabhu
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.44 of
2026 on the file of the respondent police.



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ORDER : The Court made the following order :-

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.44 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 06.03.2026, 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 1 and half units of gravel sand by using tipper lorry bearing Registration No.TN 67 AU 5677. Hence, the case.



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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 petitioner and other accused persons illegally transported 1 and half unit of gravel sand without any permission. He would further submit that the first petitioner has one previous case and the second petitioner has nine previous cases. Hence, he opposes to grant anticipatory bail to the petitioner.

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



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6. Considering the rival submissions on either side and the nature of offences charged against the petitioner and the quantity of the materials involved in this case, and also considering the fact that though the petitioners have some previous cases, the same are not similar in nature and in all cases, they were released on bail, 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 District Munsif Cum Judicial Magistrate, Peraiyur, Madurai District, and on further conditions that:

[b] the first petitioner shall report



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before the respondent Police once in a week ie., on Every Saturday at 10.30 a.m., for a period of four weeks and the second petitioner shall report before the Inspector of Police, Tallakulam Police Station, Madurai District, 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



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take appropriate action against the petitioners in accordance with law as if 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/petitioners thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

(P D B J)

06.04.2026

vsg



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To

1.The learned District Munsif Cum Judicial Magistrate, Peraiyur, Madurai District.

2.The Inspector of Police,
T.Kallupatti Police Station,
Madurai District.

3.The Inspector of Police,
Tallakulam Police Station,
Madurai District.

4.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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