



Crl.O.P.(MD)No.6912 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 6912 of 2026

1.Vinoth Kumar

2.Periyasamy

... petitioners

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Kandavarayanpatti Police Station,
Sivagangai District.
(Crime No.28 of 2026)

...Respondents/Complainant

For petitioners : Mr.R.Ilayaraja
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 28 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent for the offences punishable under Section 303(2) of BNS and Section 21(4) of



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Mines and Minerals (Development and Regulation) Act, in Crime No.28 of 2026, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 26.03.2026 at about 3.30 p.m., the police officials conducted search upon the spot and they found 20 tares of sand and also 2 tares of sand at VVV brick chamber, which is in illegal possession of the accused persons. Hence, the case.

3. The learned counsel for the petitioners submits that the petitioners are innocent and they were falsely implicated in this case and they are no way connected in the above said incident. They have not committed any offence as alleged by the prosecution. The first petitioner is the owner of the bricks chamber and the 2nd petitioner is nothing to do as alleged by the prosecution. Hence, he prays to grant Anticipatory Bail to the petitioners.

4. The learned Government Advocate (Crl. Side) submits that investigation is pending and the offences are grave in nature. The petitioners are having possession of red sand. Hence, he vehemently opposes to grant anticipatory bail to the petitioners. However, the petitioners have no previous case. Investigation in this case is still pending.



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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, considering the minerals involved and according to the prosecution they transported the red sand from the private land for their bricks chamber and also considering that there is no previous case pending against the petitioners, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners 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) each with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate, Thiruppathur** and on further conditions that:

[b] the petitioners shall report before the respondent police, on every Saturday at 10.30 a.m., for a period of four weeks, thereafter, as and when required for further interrogation:

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



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[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 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)
08.04.2026

TM

To

- 1.The Judicial Magistrate, Thiruppathur.
- 2.The Inspector of Police,
Kandavarayanpatti Police Station,
Sivagangai District.
(Crime No.28 of 2026)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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P. DHANABAL, J.

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ORDER
IN
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Date : 08.04.2026