



CRL OP(MD). No. 7292 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Guna @ Sivakumar ...Petitioners/Accused No.1

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Paramakudi Taluk Police Station
Ramanathapuram District.
(Crime No. 77 of 2026)

...Respondent/Complainant

For Petitioner :Mr.Rajiv Gandhi
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.77 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/A1, who apprehends 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.77 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 07.04.2026, at about 08.15 a.m., the defacto complainant/Village Administrative Officer, 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 petitioner and other had illegally transported one unit of river sand by using vehicle. Hence, the case.



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3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was falsely implicated in this case and he is no way connected in the above said incident. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioner and other accused person illegally transported one unit of river sand without any permission. He would further submit that the petitioner has eight previous cases, which are not similar in nature. 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 considering the fact that the owner of the vehicle, who transported the sand has been arrested and released on bail and though the petitioner has eight previous cases, the same are not similar kind of offences and in all cases, he was 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 Judicial Magistrate Court, Paramakudi, Ramanathapuram District, and on further



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conditions that:

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[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[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 petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in



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P.K.Shaji vs. State of Kerala [(2005)AIR

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

(P D B J)

15.04.2026

vsg

To

1.The Judicial Magistrate Court, Paramakudi,
Ramanathapuram District.

2.The Inspector of Police,
Paramakudi Taluk 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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