



CRL OP(MD). No.7435 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 16/04/2026

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THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.7435 of 2026

Jasper

... Petitioner/Rank Not Known

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Puthukadai Police Station,
Kanyakumari District.
Crime No. 122 of 2026.

... Respondent/Complainant

PRAYER :-

For Anticipatory Bail in Crime No.122 of 2026 on the file of the
respondent Police.

For Petitioner : Sivakumar,
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 offence punishable under Section 303(2) of BNS, 2023, in Crime No.122 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 07.04.2026, when the respondent police were on patrol duty near Kaisoondi, they intercepted the tempo bearing Reg.No.TN-75-X-4785 and found that the accused illegally transported 2 units of M.sand valued at about Rs.6,000/- without any license. Hence, this case.

3. The learned counsel for the petitioners would submit that the petitioner is an innocent and has was falsely implicated in this case and he has no way connected in the above said incident. He would further submit that the petitioner's name was not found in the FIR and no previous case is pending against the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit



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that the petitioner illegally transported 2 units of M.sand. Hence, he opposes to grant anticipatory bail to the petitioner. However, he fairly conceded that the petitioner is not a named accused in the FIR and no previous case is pending against him.

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 petitioner, and the quantity of the sand involved in this case and the petitioner is not a named accused in the FIR and no previous case is pending against the petitioner, 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 **Judicial Magistrate No.2, Kuzhithurai**, and on further conditions that:



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[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 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.



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To

- 1.The Judicial Magistrate No.2,
Kuzhithurai.
- 2.The Inspector of Police,
Puthukadai Police Station,
Kanyakumari 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.7435 of 2026

Date : 16/04/2026