



CRL OP(MD). No. 8157 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Sivamani

...Petitioner/Accused No.1

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Elayankudi Police Station
Sivagangai District.
(Crime No.153 of 2026)

...Respondent/Complainant

For Petitioner :Mr.G.Aravinthsamy
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. 153
of 2026 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/accused No.1, who apprehends arrest at the hands of the respondent for the offences punishable under Section 303(2) BNS, 2023 and Section 21(iv) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.153 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 17.04.2026, at about 04.30 p.m., the defacto complainant/VAO conducted vehicle check up near Paramakudi to Nainarkovil Road and they intercepted the tractor bearing Registration No.TN 51 AQ 2022 and found that the petitioner had illegally transported two units of Savudu sand without valid permission. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an



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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 accused persons have illegally transported two units of Savudu sand by using Tractor. He would further submit that the investigation is pending and the offences are grave in nature and the petitioner has one previous cases. However, he opposes to grant anticipatory bail to the petitioner.

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



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against the petitioner and the material part of the investigation might have been completed and though the petitioner has one previous case, the same is not similar kind of offence and he was already released on bail, I am inclined to grant anticipatory bail to the petitioners, 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, Elayankudi, Sivagangai District, and on further conditions that:

[b] the petitioner shall appear before the respondent Police once in a week ie., on Every Saturday at 10.30



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a.m., for a period of four weeks and thereafter, as and when required for 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



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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)

27.04.2026

vsg



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To

1.Thelearned Judicial Magistrate, Elayankudi,
Sivagangai District.

2.The Inspector of Police,
Elayankudi Police Station
Sivagangai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.,

vsg

ORDER
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