



CRL OP(MD). No.9483 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 20/05/2026

PRESENT

The HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

CRL OP(MD). No.9483 of 2026

1. Bernard Anjalis
2. Rajesh
3. Saji Kumar
4. Bosco Tit Singh

... Petitioners/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police,
Puthukadai Police Station,
Kanniyakumari District.
(Crime No. 153/2026).

... Respondent/Complainant

For Petitioners : Mr.Sonu P,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PRAYER :-

For Anticipatory Bail in Crime No. 153 of 2026 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

1/6



CRL OP(MD), No.9483 of 2026

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

2. The case of the prosecution is that on 07.05.2026, while the respondent Police was conducting a routine vehicle check, the petitioners herein are said to have illegally transported 32 tons of M-sand using a lorry, and on seeing the police officials, they allegedly escaped from the scene of occurrence. Hence, a case has been registered against the accused for the aforesaid offences. Hence, this petition.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.



CRL OP(MD), No.9483 of 2026

4. The learned Government Advocate (Crl. Side) fairly submits that the property has been recovered, that no previous case is pending against the petitioners, and that the investigation is still pending. Hence, he opposes the grant of anticipatory bail to the petitioners.

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

6. Considering the rival submissions made on either side, the nature of the offences charged against the petitioners, and the fact that the property has already been recovered and that no previous case is pending against the petitioners, I am inclined to grant anticipatory bail to the petitioners subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on condition that the petitioners shall 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 No.II, Kuzhithurai, within a period of fifteen days from the date on which the order copy is made



CRL OP(MD), No.9483 of 2026

ready and on further conditions that:

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[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent police once in a week ie., on every Monday at 10.30 a.m. until further orders;

[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 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



CRL OP(MD), No.9483 of 2026

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 SCW 5560].

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

(R V J)
20.05.2026

TRP

TO

1. Judicial Magistrate No.II, Kuzhithurai,
2. Inspector of Police, Puthukadai Police Station, Kanniyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD), No.9483 of 2026

R.VIJAYAKUMAR,J

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ORDER
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