



CRL OP(MD). No.9585 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/05/2026

PRESENT

The HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

CRL OP(MD). No.9585 of 2026

1. Surendar
2. Sakthivel

... Petitioners/Accused 1 &2

Vs

State of Tamilnadu Rep by
Inspector of Police,
Thanjavur Town West Police Station,
Thanjavur District.
(Crime No. 261/2026).

... Respondent/Complainant

For Petitioners : Mr.K. M.Karunakaran,
Advocate.

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

PRAYER :-

For Anticipatory Bail in Crime No.261/2026 on the file of the
respondent Police.

ORDER : The Court made the following order :-

1/6



CRL OP(MD), No.9585 of 2026

WEB COPY

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 303(2) of BNS, 2023 r/w. Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.261 of 2026 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 14.05.2026, when the respondent Police was on patrolling duty, the petitioners herein are alleged to have illegally transported one unit of river sand by using a Lorry. 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.

4. The learned Government Advocate (Crl. Side) fairly submits



CRL OP(MD), No.9585 of 2026

that the property has been recovered, that there are 9 previous cases pending against the 1st petitioner, that the second petitioner is a son of the 1st petitioner, 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, 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.I, Thanjavur, within a period of fifteen days from the date on which the order copy is made ready and on further conditions that:



CRL OP(MD), No.9585 of 2026

WEB COPY

[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 daily 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 Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



CRL OP(MD), No.9585 of 2026

[g] If the accused thereafter absconds, a fresh FIR can

WEB COPY be registered under Section 269 B.N.S.

(R V J)
20.05.2026

TRP

TO

1. Judicial Magistrate No.I, Thanjavur,
2. InSpector of Police, Thanjavur Town West Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD), No.9585 of 2026

R.VIJAYAKUMAR,J

TRP

ORDER
IN
CRL OP(MD) No.9585 of 2026

Date : 20/05/2026