



CRL OP(MD). No.9781 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/05/2026

PRESENT

The HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

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Malaisamy,
S/o. Chinnadevar,

... Petitioner/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
(Crime No. 63/2026).

... Respondent/Complainant

For Petitioner : Mr.Dhilipan Pandian R L,

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.63/2026 on the file of the
respondent Police.

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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 303(2) of BNS, Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.63 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein is alleged to have illegally transported ½ units of river sand. Hence, a case has been registered against the accused for the aforesaid offences. Hence, this petition.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in the case. Hence, he prays for the grant of anticipatory bail to the petitioner.



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

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 petitioner and the fact that the property has already been recovered and no previous case is pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, on condition that the petitioner shall 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 Court-II, Thanjavur, within a period of fifteen



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days from the date on which the order copy is made ready and on further conditions that:

[a] the petitioner 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 petitioner shall report before the respondent police on every Monday 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 petitioner



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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, 2023.

(R V J)
20.05.2026

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To

1. The Judicial Magistrate Court-II,
Thanjavur.
2. Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR,J

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ORDER

IN

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