



CRL OP(MD) . No.10229 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/06/2026

PRESENT

The HONOURABLE **MR. JUSTICE P. DHANABAL**

CRL OP(MD) . No.10229 of 2026

Malaisami,
S/o.Chinndevar,
No.125,Sri Raman Nagar,
Pinnainallur,
Thanjavur District..

... Petitioner/Accused No.1

Vs

The State of Tamilnadu Rep By,
The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
(Crime No.174/2026).

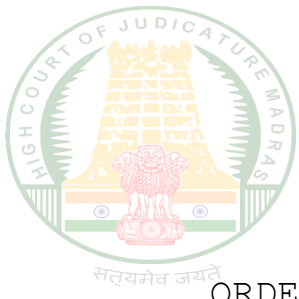
... Respondent/Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian,
Advocate.

For Respondent : Mr.N.Balasubramanian,
Counsel for State of TN
(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of
BNSS

PRAYER :- C-33AB. For Anticipatory Bail in
Crime No.174 of 2026 on the file of the
respondent Police.



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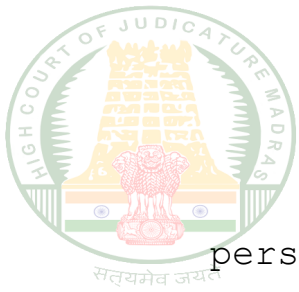
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ORDER : The Court made the following order :-

The petitioner/Accused No.1, who apprehends arrest at the hands of the respondent for the offences punishable under Section 303(2) of BNS, 2023, and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.174 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 06.05.2026, when the defacto complainant/Sub Inspector of Police, was patrol duty, at that time, the petitioner along with other accused persons had illegally transported quarter unit of river sand without without any valid permission. Hence, the case.

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



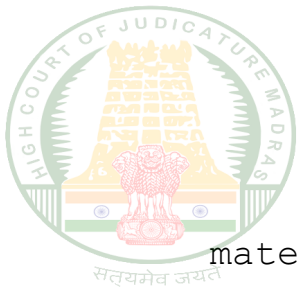
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person and he was falsely implicated in this case and he is no way connected in the above said incident. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioner and other accused persons had illegally transported quarter unit of river sand without any permission. He would further submit that the petitioner has 19 previous cases. Hence, 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 against the petitioner and the quantity of the



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materials involved in this case, and also considering the fact that though the petitioner has some previous cases, the same are not similar kind of offences and in all cases, he was released on bail and the materials have been seized and the material part of the investigation might have been completed and hence, 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 bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate Court No.II, Thanjavur**, 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



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Judicial Magistrate concerned and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of 30 days 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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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.

(P D B J)
05.06.2026

VSG

TO

1.The learned Judicial Magistrate Court No.II, Thanjavur.

2.The 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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P. DHANABAL, J. ,

vsg

ORDER
IN
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