



CRL OP(MD). No.12744 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 29/06/2026

CORAM

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

CRL OP(MD). No.12744 of 2026

Jayan

... Petitioner/Sole Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Arukani Police Station,
Kanyakumari District.
Crime No.8/2026.

... Respondent/Complainant

PRAYER :-

For Anticipatory Bail in Crime No.8/2026 on the file of the
Respondent Police.

For Petitioner : N.S.Ramakrishna Dass,
Advocate.

For Respondent : Mr.P.Vetrivel,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the



CRL OP(MD). No.12744 of 2026

respondent police for the offence **under Section 303(2) of BNS Act, 2023, r/w 21(1) of Mines & Minerals (Development & Regulation) Act, 1957**, in **Crime No.8 of 2026**, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that on 29.04.2026 at about 18.30 hours, the petitioner illegally transported 30 basket of crusher powder worth about Rs.1500/-. Hence, the case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the mines, already seized is only a rock sand (M.Sand) and it is not a illegal quarrying sand. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that



CRL OP(MD). No.12744 of 2026

investigation in this case is still pending and the petitioner has 1 previous case similar in nature. Hence, he oppose to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case, though the petitioner has 1 previous case, it is a case of illegal transportation of rock sand (M.sand) and the transported sand was already seized along with vehicle, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Kuzhithurai**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the



WEB COPY



CRL OP(MD). No.12744 of 2026

concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioner shall stay at Madurai and report before the Inspector of Police, Anna Nagar Police Station, Madurai, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala* [(2005) AIR SCW 5560];

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.



WEB COPY



CRL OP(MD). No.12744 of 2026

29.06.2026

dss

To

- 1.The Judicial Magistrate No.I, Kuzhithurai.
- 2.The Inspector of Police,
Arukani Police Station,
Kanyakumari District.
- 3.The Public Prosecutor,
High Court of Madras.

5/6



WEB COPY



CRL OP(MD). No.12744 of 2026

K. RAJASEKAR,J

DSS

ORDER
IN
CRL OP(MD) No.12744 of 2026

Date : 29/06/2026