

In the Court of the Vacation Sessions Judge, Tiruvarur.

**Present: Thiru M.VADIVEL, B.Com.,B.L.,
Sessions Judge,
Special Court for trial of cases under SC and ST (PoA) Act., Thiruvarur,
Vacation Sessions Judge, Thiruvarur.
Friday, this the 29th day of May 2026**

CrI.M.P.No. 441/2026

Muruganantham, aged 36/2026,
S/o. Masilamani

... Petitioner/Accused.

Vs

State rep. through the Inspector of Police,
Kalappal Police Station,
Crime Number : 44/2026

... Respondent/Complainant.

This petition came up before this Court for hearing moved by Mr. P. Rajeshkumar, Advocate, for the petitioner/accused and Mr. D. Manivannan, Public Prosecutor for the State and upon perusing the petition and reply, this Court passes the following:-

ORDER

This petition has been filed by the petitioner under section 482 of Bharatiya Nagarik Suraksha Sanhita to grant anticipatory bail with regard to the case in Crime Number 44/2026 of Kalappal Police station for the offence punishable under sections 303(2) of BNS r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act.

2. According to the petitioner, he is innocent person and the petitioner is from respectable family and has not committed any offence as described by the complainant or whatsoever. The case of the prosecution is that the petitioner without proper license or permission had involved in theft of ½ unit of Sand which was carried in TATA ACE vehicle bearing Registration Number TN 49 AX 6339. The petitioner is in no way related to the offence. The respondent police is giving unnecessary trouble to petitioner's family members. If he is arrested, he will be put to irreparable loss and injury it may not be compensated by any means known

to law. Since the petitioner apprehends arrest in the hands of respondent police and prayed to grant anticipatory bail to petitioner.

3. Whereas the Public Prosecutor has submitted the reply of Respondent / Complainant in which it is stated that the case is under investigation and accused is yet to be secured and one previous case is pending on the file of Kalappal Police Station against the petitioner and theft of ½ unit of Sand through TATA ACE vehicle bearing Registration Number TN 49 AX 6339 without proper license or permission. If the accused is let on bail, he will tamper witnesses, he will involve in similar offence and hence strongly objected to let the accused on bail.

4. Reply received and perused. Heard. Considering the nature and gravity of offence and also other circumstance of the case, this Court is inclined to grant Anticipatory Bail to the petitioner.

5. In the result, this petition is allowed with the following conditions :

- i. The petitioner shall make non-refundable deposit a sum of Rs.2,500/- to **The Assistant Director of Geology and Mining, District Mineral Foundation Trust, Thiruvarur** and proof of payment of the same shall be filed by the petitioner before the Learned Judicial Magistrate No.I, Mannargudi.
- ii. The petitioner shall surrender and execute a bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.I, Mannargudi within one month from the date of Order.
- iii. The petitioner and the sureties each 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.

- iv. The petitioner shall report before the Inspector of Police, Kalappal Police Station daily at 10.00 a.m., for a period of one month from the date of surrender.
- v. The petitioner shall not tamper with evidence of witnesses either during investigation or trial and if otherwise the Anticipatory Bail granted in favour of petitioner shall stands canceled.
- vi. The petitioner shall not abscond either during investigation or trial.
- vii. On breach of any of the aforesaid conditions, the learned 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 is released on bail by the learned Magistrate/Trial Court as laid down by the Hon'ble Supreme Court in P.K. Shaji .Vs. State of Kerala ((2005) AIR SCW 5560)
- viii. If the accused thereafter abscond, a fresh FIR can be registered under section 269 BNS.

Pronounced by me, this the 29th day of May 2026.

**Vacation Sessions Judge,
Thiruvapur.**

Copy to (Through E-mail):

The Judicial Magistrate No.I, Mannargudi.

The Counsel for the Petitioner.

The Inspector of Police, Kalappal Police Station.

The Assistant Director of Geology and Mining, District Mineral Foundation Trust,
Thiruvapur.