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Crl.O.P.No.14399 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2025

CORAM

THE HON'BLE MRS. JUSTICE **L.VICTORIA GOWRI**

Crl.O.P.No.14399 of 2025

Veeran

... Petitioner

Vs.

The State represented by,
The Station House Officer,
The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.

(Crime No.204 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioner on bail, in Crime No.204 of 2025 on the file
of the respondent Police.

For Petitioner : Mr.S.Mageshkumar

For Respondent : M/s.J.R.Archana
Government Advocate (Crl.Side)



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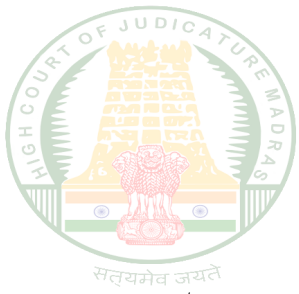
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ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.04.2025, for the offences punishable under Section 303(2) of BNS, 2023 r/w Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.204 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal transportation of $\frac{1}{4}$ unit of river sand in a bullock cart. Hence the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner was arrested and is in judicial custody from 21.04.2025. He would submit that the contraband has been seized. He would further submit that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.2,000/-,



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to any welfare scheme of the Government or any other organization. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner was found in illegal transportation of $\frac{1}{4}$ unit of river sand. He further submitted that there is no previous case pending against the petitioner. However, he opposed for the grant of bail.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as non-refundable deposit, to the credit of **Manolaya, Home for Mentally Ill Destitute, Bank Name: Indian Overseas Bank, Branch: Kottaram, IFSC Code: IOBA0000253, Account Name: Manolaya, Account No.025302000000284, UPI ID:**



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6379484925@okbizicici, Gpay:9443307196, without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

7. Further, considering the nature of allegations, the period of incarceration undergone by the petitioner, the fact that the petitioner has no bad antecedents, the contraband was seized and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing 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 **Judicial Magistrate No.II, Ulundurpet, Kallakurichi District**, and on further conditions that :-

[a] the petitioner shall report before the respondent police, everyday at 10.30 a.m., for a period of three months and thereafter as and when required for investigation;



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[b] the petitioner shall not commit any offences of similar nature.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

08.05.2025

ata/ep

Note :

1.Registry is directed to forthwith upload this order in the official website of this Court.

2.All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.



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L.VICTORIA GOWRI, J.
ata/ep

TO

1.The Judicial Magistrate No.II,
Ulundurpet, Kallakurichi District.

2.The Station House Officer,
The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.

3.Sub Jail, Ulundurpet, Kallakurichi District.

4.The Public Prosecutor,
High Court of Madras.

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