



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15051 of 2025

1. Haridass

S/o.Parasuraman

2. Sathish

S/o.Arumugam

3. Mano

S/o.Venkatasamy A1 to A3 are residing
at Kamaraj Nagar, Kathari Village and
Post, Natrampalli Taluk, Thirupattur
District

4. Prabakaran

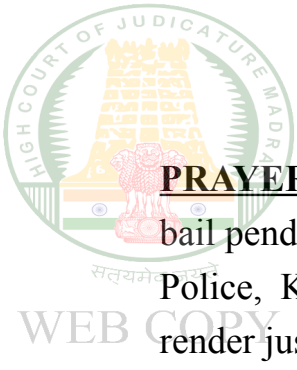
S/o.Krishnan No.2/130, Anna Nagar
Village, Malakunda Post, Natrampalli
Taluk, Thirupattur District

Petitioner(s)

Vs

1. State rep by the Inspector of Police
Kurisilapet Police Station, Kurisilapet,
Thirupattur District. Crime No.51 of
2025Tirupathur

Respondent(s)



PRAYER: This Criminal Original Petition is filed to enlarge the petitioners on bail pending investigation in Crime no.51 of 2025 on the file of the Inspector of Police, Kurisilapet Police Station, Kurisilapet, Thirupathur District and thus render justice

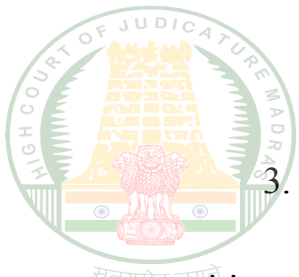
For Petitioner(s): Mr.G.Vinodhkumar

For Respondent(s): Mr.Leonard Arul Joseph Selvam
Government Advocate(Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.51 of 2025 registered for the alleged offences punishable under Sections 303(2), 326(a) of BNS Act read with Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957 is on board for consideration.

2. The case of the prosecution is that on 26.04.2025, one Indhiran, VAO Kuvapattu village conducted raid and found the petitioners were illegally transporting each three units of Sand in four Tipper Lorries bearing Reg. No.1) TN-83-E-5805, 2) TN-37-AW-2325, 3) TN-54-U-9399, 4) TN-39-AC-3611 without having valid proper permit from the competent authority. Hence, the complaint.



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3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution; that the petitioners have been arrested and remanded to judicial custody on 26.04.2025.

He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and ready to co-operate for the investigation and prayed for bail to the petitioners.

4. The learned counsel appearing for the petitioners submitted that the each of petitioners to show their bonafide are ready and willing to deposit a sum of Rs.10,000/- to the Cancer Institute(WIA), Adayar, without prejudice to their defence.

5. The learned Government Advocate (Criminal Side), appearing for the respondent reiterated the case of the prosecution and further submitted that the contraband has been recovered from the accused and that the investigation is

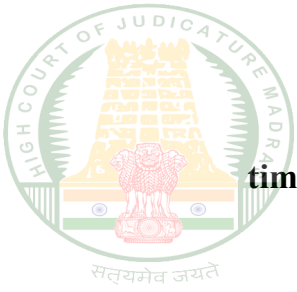


pending and hence, he strongly opposed to release the petitioners on bail.

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6. Taking into consideration the facts and circumstances of the case, considering the nature of allegation against the petitioners, the submissions made by the learned counsels on either side and the voluntarily submission made by the each of the petitioners that they would deposit a sum of Rs.10,000/- to any organization, without prejudice to their defence and also the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail with the following stringent conditions:

(1) Each of the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) (Non refundable) towards the account of CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA), Dr.S.Krishnamurthi Campus, Sardar Patel Road, Chennai-36, bearing SB Account No.149710011005477, IFS Code No.ANDB0001497, Branch Name and Code 1497, MICR No.600011049 and to produce the Bank Challan before the Judicial Magistrate No.II, Thirupattur and the receipt shall be produced at the



time of executing the bond;

(2) Each petitioners shall execute a bond for **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Thirupattur ;**

(3) **The petitioners shall appear before the respondent police daily at 10.30 a.m. for a period of 15 days (including holidays)and thereafter, as and when required for interrogation.**

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

(5) The petitioners shall make himself available for interrogation by a Police Officer as and when required;

(6) The petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses;

(7) The petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

(8) On breach of any of the aforementioned conditions, the learned Metropolitan Magistrate is entitled to pass appropriate orders against the



petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in

WEB COPY P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

(9) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

14.05.2025

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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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To
1.State rep by the Inspector of Police
Kurisilapet Police Station, Kurisilapet,
Thirupattur District. Crime No.51 of
2025Tirupathur.

2. The Judicial Magistrate No.II,
Thirupattur.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR J.

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