



Crl.O.P.No.16626 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16626 of 2025

- 1.Senthilkumar
- 2.Arunkumar
- 3.Anbarasan
- 4.Sakthivel

... Petitioners

Vs.

State rep. by
The Inspector of Police,
Negamam Police Station,
Coimbatore District.

Crime No.139 of 2025.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail in Crime
No.139 of 2025 pending on the file of the Respondent police.

For Petitioners : Mr.Deepanuday

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 18.05.2025, for the offence punishable under Section 305 (e), under Section 21 (1) and 21 (4) of Mines and Minerals (Development And Regulation) Act, 1957, in connection with Crime No.139 of 2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution is that on 18.05.2025, at 01.15 a.m., the Revenue officials inspected the subject matter of the lands and came to know about the theft of gravel by the accused illegally. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they had been falsely implicated in this case. The petitioners are in judicial custody from 18.05.2025 and hence, further custody of the petitioners is not required. He further submitted that the petitioners, without prejudice to their rights, is ready to deposit a sum of Rs.10,000/- each to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioners.



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4.The learned Government Advocate (Criminal Side) appearing for the respondent police, reiterated the prosecution case and opposed the grant of bail to the petitioners.

5.Heard both sides and perused the materials available on record.

6.Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each** with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate Court No.2, Pollachi**, and on further conditions that:

a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46



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annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] The petitioner shall deposit a sum of Rs.5,000/-(Rupees Five 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 concerned Magistrate and the receipt shall be produced at the time of executing the bond;

[c] the petitioners shall report before the respondent Police daily at 10.30 a.m. for a period of three weeks; thereafter as and when required for interrogation;

[d] the petitioners shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[f] 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;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders



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against the petitioners in accordance with law as if the
aforementioned conditions have been imposed and the petitioners
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)13 SCC 283]**;

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

09.06.2025

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To

1. The Judicial Magistrate Court No.2, Pollachi.
- 2.The Inspector of Police,
Negamam Police Station,
Coimbatore District.
- 3.The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

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M.NIRMAL KUMAR, J.

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