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Crl.OP.No.25327 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.25327 of 2025

1. Nagamanikam
2. Boopathiraj

... Petitioners

Vs.

State Rep by
The Inspector of Police,
Negamam Police Station,
Coimbatore District.
(Cr.No.218 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.218 of 2025 on the file of the respondent police, pending investigation.

For Petitioners : Mr.N.Ponraj

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 10.08.2025 for the alleged offence under Section 303(2) of BNS Act, 2023 (379 of IPC) and 21(1) of Mines and Minerals (Development and



Regulation) Act in Crime No.218 of 2025 on the file of the respondent police, seek bail.

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2. The case of the prosecution is that the petitioners, along with seven accused, had engaged four tipper lorries to excavate gravel sand from a private land illegally, without any valid permit. The Village Administrative Officer has intercepted the vehicles and a case has been registered.

3. The learned counsel appearing for the petitioners states that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and reported that the petitioners along with other accused had illegally transported one unit of gravel sand. A6 and A7 were absconded, A8 was enlarged on bail by this



Court and A1, A3 and A4 were still in custody. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the facts and circumstances of the case and the period of incarceration and his antecedents, 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 separate bonds for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate-II, 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 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;



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[b] the petitioners shall report before the respondent police daily at 10.30a.m., for a period of three weeks ;

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

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

16.09.2025

Vv

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 the official website of this Court will be watermarked and will also have a QR code.



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To
1. The Judicial Magistrate-II, Pollachi

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2. The Inspector of Police,
Negamam Police Station,
Coimbatore District.

3. The Sub Jail, Pollachi.

4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

Vv

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