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Crl.O.P.No.3030



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2025

CORAM :

**THE HON'BLE MR. JUSTICE K. RAJASEKAR**

**Crl.O.P.No.30303 of 2025**

Madasamy

... Petitioner

-VS-

State Rep by,  
The Inspector of Police,  
Thirukazhukundram Police Station,  
Chengalpattu District.  
(Crime No.414 of 2025)

... Respondent

**Prayer:-** Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.414 of 2025 pending investigation on the file of the Respondent police.

For Petitioner : Mr.D.Padmanabhan

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

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**ORDER**

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The petitioner, who was arrested and remanded to judicial custody on 23.10.2025, for the alleged offence punishable under Section 303(2) of BNS and 21(1) of MM Act in Crime No.414 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that this petitioner joining with other accused and illegally quarrying and transporting 2 ½ units of river sand. Hence this case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner was arrested and he is in judicial custody from 23.10.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that no previous case is pending against the petitioner and the petitioner illegally quarried the 2 ½ units of river sand without valid permission



and one of the co-accused is absconding. Hence, he strongly opposed for grant of bail to the petitioner.

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

6. Considering the submissions of the learned counsel on either side, and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, each for a like sum to the satisfaction of the *learned Judicial Magistrate, Thirukazhukundram, Chengalpattu District*, and on further conditions that:-

[a] the sureties 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;



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**[b] the petitioner report before the Trial Court daily  
at 10.30 a.m., for a period of three weeks;**

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

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

[e] 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 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 B.N.S.

**06.11.2025**

rna

**Note:**

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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.

**To**

1. The Judicial Magistrate, Thirukazhukundram, Chengalpattu District.
2. The Inspector of Police,  
Thirukazhukundram Police Station,  
Chengalpattu District.
3. The Puzhal Prison-II.
4. The Public Prosecutor,  
High Court, Madras.

**K. RAJASEKAR, J.**



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