



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.34115 of 2025

Yesudas

Petitioner

Vs

The State Represented by
The Sub Inspector of Police,
Jolarpet Police Station,
Tirupathur District.
Crime No.381 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner in Crime No.381 of 2025 on the file of the respondent police.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.L.Baskaran

Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.11.2025 for the alleged offence punishable under Section 303(2)

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and 326(a) of BNS, 2023 in Crime No.381 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner joined hands with other accused, illegally quarried sand from A1's land. Hence, the petitioner was arrested and is in judicial custody from 21.11.2025.

3. Learned counsel appearing for the petitioner submitted that the sand was taken from A1, who is a private party, for the purpose of leveling the land; it is not an illegal quarrying. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner is also a having bad antecedents of one previous case and that the investigation is pending. Hence, he opposed to grant bail to the petitioner.

5. Considering the submissions made by the learned counsel on either side, and the fact that the petitioner is in judicial custody from 21.11.2025 and that, though it is stated that there was one previous case pending against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate-I, Tirupathur*, 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;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[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,



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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.

12.12.2025

mpa

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-I, Tirupathur.
- 2.The Sub Inspector of Police,
Jolarpet Police Station,
Tirupathur District.
- 3.The Officer Incharge, Sub-Jail, Tirupathur.
- 4.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.,

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