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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.34603 of 2025

1.Nandhakumar @ Nandhu
2.Rajesh
3.Chandrasekar

Petitioners

Vs

The State Represented by
The Sub Inspector of Police,
Bagayam Police Station,
Vellore District.
Crime No.339 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner in Crime No.339 of 2025 on the file of the respondent police.

For Petitioners:

Mr.D.Padmanabhan

For Respondent:

Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

The petitioners, who were arrested and remanded to judicial



custody on 23.11.2025 for the alleged offence punishable under Sections 303(2), 326(a) of BNS, 2023 read with Section 21(1) of the Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.339 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioners is that they joined hands with the other accused and were involved in illegal quarrying of 8 units of river sand from the Bahuda river in Andhra Pradesh. While transporting the same, they were intercepted by the officials. Hence, a case was registered and the petitioner was arrested.

3. Learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated, as they have some previous cases against them. He further submitted that the petitioners are in judicial custody since 23.11.2025 and that they are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed to grant bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that there are nine accused involved in this case and the petitioners are arrayed as A3, A4 and A5. He further submitted that the petitioner/ A3, Nandhakumar



@ Nandhu has two previous cases, one case under Section 307 IPC and another of a similar in nature. The petitioners/A4, Rajesh and A5, Chandrasekar, have one previous case each of a similar in nature pending against them. He also submitted that the property was seized. Hence, he opposed for the grant of bail to the petitioners.

5. Considering the submissions made by the learned counsel on either side, the nature of the allegations, the property was seized, though it is stated that the petitioners have previous cases and considering the period of their incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on her 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 No.I, Vellore*, 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 shall report before the respondent police daily at 10.30 a.m., for a period of three 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, 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.

17.12.2025

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Page 4 of 6



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

To

- 1.The Judicial Magistrate No.I,
Vellore.
- 2.The Sub Inspector of Police,
Bagayam Police Station,
Vellore District.
- 3.The Superintendent,
Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.,

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CRL OP NO.34603 of 2025

17.12.2025

Page 6 of 6