



CRL OP(MD). No.2013 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.2013 of 2025

1. Dineshpandi

2. Pitchaimani

3. Santhanamurugan

4. Karuthapandi

... Petitioners/ Accused No.3,4 5 & 6

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Gandamanur Police Station,
Theni.

Crime No.21 of 2025.

... Respondent/Complainant

For Petitioner : Mr.Kannan Gurusami, Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor



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PETITION FOR BAIL Under Sec.483 of BNSS

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PRAYER :-

For Bail in Crime No.21 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A3 to A6, who were arrested and remanded to judicial custody on 22.01.2025 for the offences under Sections 303(2) BNS (hereinafter referred to as new penal code) and 21(4) of MMDR Act in Crime No.21 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners had transported 6.5 unit of red sand in seven tractors. Hence the case. There are totally ten accused persons in this case and the petitioners have been arrayed as A3 to A6.

3. Heard the learned counsel appearing on either side.

4. Taking into consideration the facts and circumstances of the case and also of the fact that there are no previous cases against the petitioners and also taking note of the fact that already A7 to A10 was granted anticipatory bail by this Court in



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CrI.O.P(MD)No.1561 of 2025, dated 28.01.2025, this Court is inclined to grant bail to the petitioners subject to the following conditions.

5. Accordingly, the criminal original petition is ordered and the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned *Judicial Magistrate, Andipatti, Theni 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;

*[b] the **petitioners** shall pay a sum of **Rs.2,500/- (Rupees Two Thousand Five Hundred only)** each to the credit of the Madurai Bench of Madras High Court Advocate Clerk's Welfare Association, Madurai-625023 (Account No:- 496039124, IFSC Code:-IDIB000H040), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned *Judicial Magistrate, Andipatti, Theni District*.*

[c] the petitioners shall report before the respondent police daily at 05.30 p.m., until further orders;



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

[e] the petitioners shall not abscond either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the 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)AIR SCW 5560];

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
31/01/2025

/ TRUE COPY /

31/01/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1 THE JUDICIAL MAGISTRATE
ANDIPATTI, THENI DISTRICT.



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, THENI.

4 THE INSPECTOR OF POLICE,
GANDAMANUR POLICE STATION,
THENI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE,
ADVOCATE CLERKS WELFARE ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.KANNAN GURUSAMI, Advocate (SR-1248[I] dated 31/01/2025)

ORDER
IN

CRL OP(MD) No.2013 of 2025

Date :31/01/2025

SS/SAR- /31/01/2025/ 5P/8C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023