



CRL OP(MD). No.2545 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2545 of 2025

Vinayaga Moorthi

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.
(Crime No. 1 of 2025).

... Respondent/ Complainant

For Petitioner : Mr.M.S.Jeyakarthik

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 1 of 2025 on the file of the respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 06.02.2025

<https://www.mhc.tn.gov.in/judis> under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant



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an order of pre-arrest bail.

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2. The petitioner apprehends arrest at the hands of the respondent-Police for the offences punishable under Section 303 of Bharatiya Nyaya Sanhita, 2023 and Section 21(1) of the Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.1 of 2025 on the file of the respondent-police

3. The case of the prosecution is that based on the secret information, on 03.01.2025 at about 4:30 hours, when the defacto-complainant/Village Administrative Officer, his assistant and the respondent-police were on surveillance, they found that a tipper lorry, bearing registration No.TN-45-AS-9097 which was carrying three unit of river sand, struck on the road. Hence, the accused persons, seven in numbers, tried to pull out by using JCB, bearing registration NO.TN-65-AU-6185. After seeing the police, the five accused persons fled away from the place of occurrence. However, they caught the driver of the lorry and the operator of JCB. Based on the confession of them, the petitioner has been implicated in this case. Hence, this case.

4. Mr.M.S.Jeyakarthik, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence. He further submits that the petitioner has been falsely implicated in this case. He further submits that the petitioner is ready to abide by the conditions that may be imposed by this Court. Hence, he prays to grant an order of pre-arrest bail.



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5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl. Side) appearing for the respondent-Police, submits that the petitioner is a history sheeter in H.S.No.657 of 2016 and the petitioner has ten previous cases, out of which six cases are similar in nature. He further submits that custodial interrogation of the petitioner is necessary in this case. Hence, he prays to dismiss this Criminal Original Petition.

6. The petitioner has ten previous cases, out of which six cases are similar in nature. This Court is of the view that if this Court grants pre-arrest bail to the petitioner, the petitioner will cause environmental damage and repeatedly indulge in similar types of offences and therefore, further custody of the petitioner is necessary in this case.

7. Therefore, this Court is not inclined to grant pre-arrest bail to the petitioner and hence, this Criminal Original Petition stands dismissed.

sd/-
25/02/2025

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/03/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

APD
TO
1 THE INSPECTOR OF POLICE,
KADALADI POLICE STATION,
RAMANATHAPURAM DISTRICT.



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

ORDER
IN
CRL OP(MD) No.2545 of 2025
Date :25/02/2025

SA/SKN/SAR. /10.03.2025/4P/3 3C

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