



CRL OP(MD). No.3670 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3670 of 2025

Murugesan

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.
Cr. No. 504 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian
For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

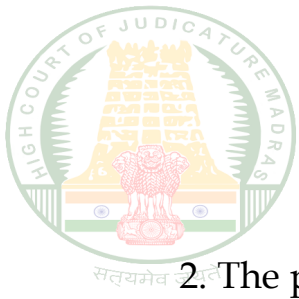
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.504 of 2024 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 24.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.



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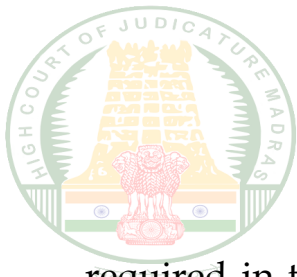
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2. The petitioner apprehends arrest at the hands of the respondent-Police for the offences punishable under Section 303(2) of Bharatiya Nyaya Sanhita, 2023 and Section 21(4) of the Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.504 of 2024 on the file of the respondent-police

3. The case of the prosecution is that based on the secret information, on 24.11.2024, when the defacto-complainant, along with his team, was conducting vehicle checkup, they found that the petitioner, along with other accused persons, was illegally excavating and transporting one unit of river sand, in a four-wheeler. On seeing the police, the petitioner and other accused persons fled from the place of occurrence leaving the vehicle behind. Hence, this case.

4. Mr.R.L.Dhilipan Pandian, learned counsel appearing for the petitioner, submits that this is the second pre-arrest bail application of the petitioner. He further submits that the petitioner is an innocent person and he has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant an order of pre-arrest bail.

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Crl.Side) appearing for the respondent-Police, submits that the petitioner has four previous cases, which are similar in nature. He further submits that custodial interrogation is



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required in this case. He further submits that if the pre-arrest bail is granted to the petitioner, he may commit similar offence. Hence, he prays to dismiss this Criminal Original Petition.

6. The petitioner has four previous cases, which are similar in nature. Therefore, this Court is of the view that if pre-arrest bail is granted to the petitioner, he will cause environmental damage and repeatedly indulge in similar types of offences. In view of the nature of the offence allegedly committed by the petitioners, this Court is of the view that custodial interrogation is required in this case and granting an order of pre-arrest bail is likely to result in the petitioner committing similar offence.

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

sd/-
26/02/2025

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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, NADUKAVERI POLICE STATION,
THANJAVUR DISTRICT.

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

<https://www.hmc.tn.gov.in/judis>



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ORDER

IN

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Date :26/02/2025

RS/SKN/SAR-(12.03.2025) 4P 3C

Madurai Bench of Madras High Court is issuing
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