



CRL OP(MD). No.4305 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.4305 of 2025

Vignesh

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Jeeyapuram Police Station,
Trichy.

Crime No. 20 of 2025.

... Respondent/Complainant

For Petitioner : Mr.S.Sathyachidambaram.

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.20 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 05.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant 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(2) of Bharatiya Nyaya Sanhita, 2023 and Section 21(4) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.20 of 2025, on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant is the Lascar, working under Water Resource Department. Based on the secret information, on 25.01.2025, at about 2.00 p.m., when the defacto complainant, along with another staff one Sakthivel, was on regular water body check-up near Koodalur river bank, they found that the petitioner and other accused persons were illegally excavating ½ unit of river sand in bullock-cart. On seeing them, the petitioner and other accused person fled from the place of occurrence untying the bulls. Hence, this case.

4. Mr.S.Sathyachidambaram, learned counsel appearing for the petitioner, submits that the petitioner is innocent and he has not committed the offence as alleged by the prosecution. He further submits that the petitioner 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 and other accused



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persons were illegally excavating ½ unit of river sand, and that the petitioner is the owner of the bullock-cart. He further submits that the petitioner has six previous cases, out of which two cases are similar in nature and hence, if the petitioner is granted pre-arrest bail, he will commit similar type of offence. Hence, he prays to dismiss this Criminal Original Petition.

6. Heard both sides and perused the records.

7. On perusal of the records, it reveals that the petitioner has six previous cases, out of which two cases are similar in nature. This Court is of the view that the petitioner is a habitual offender and therefore, if pre-arrest bail is granted to the petitioner, he will commit similar type of offence and thereby, cause damage to environment and cause loss to the nation's wealth. Therefore, this Court is not inclined to grant pre-arrest bail to the petitioner.

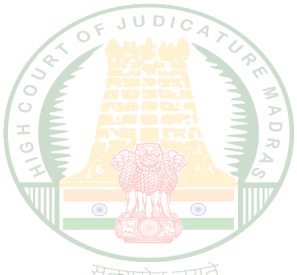
8. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
07.03.2025

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

apd



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TO
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1. The Inspector of Police,
Jeeyapuram Police Station,
Trichy.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.4305 of 2025
Date : 07/03/2025

SL(25.03.2025)/ 4P/ 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.