



CRL OP (MD) No.4399 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.4399 of 2025

1.Sarathkumar
2.Pandi
3.Karuppu @ Karuppasamy
4.Chinnalekkan

... Petitioners/ A4 to A7

Vs

The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
Crime No.55 of 2025

... Respondent/ Complainant

For Petitioners : Mr.S.Sivaprakash
For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

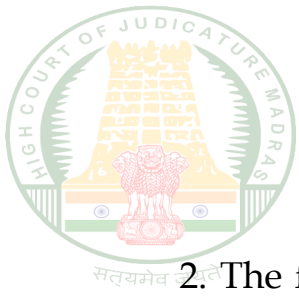
PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No.55 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 petitioners on 06.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant



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2. The first and second petitioners/A4 and A5 were arrested and remanded to judicial custody on 16.02.2025, and the third and fourth petitioners/A6 and A7 were arrested and remanded to judicial custody on 17.02.2025 for the alleged offences punishable under Section 303(2) of Bharatiya Nyaya Sanhita (BNS), 2023, Section 21 (1) of the Mines and Minerals (Development and Regulation) Act, 1957, Section 5 of the Explosive Substances Act, 1908, and Section 9(B)(1)(b) of the Indian Explosives Act, 1884, in Crime No.55 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that, based on secret information about the illegal quarrying of white stones, on 15.02.2025, the defacto complainant, the Village Administrative Officer, along with the respondent-police, went to the land in S.Nos.91/3, 91/4, and 91/7 and inspected the place, where they found 42 holes filled with gelatine sticks, detonators, and fuse wires for quarrying white stones. On seeing the officials, the accused persons escaped from the place. After the enquiry, the respondent-police arrested the petitioners. Hence, the case.

4. Mr.S.Sivaprakash, the learned counsel appearing for the petitioners, submits that the petitioners did not commit any offence as alleged by the prosecution and that they have been falsely implicated in this case. He however submits that the petitioners are ready to abide by any condition to be imposed by this Court. He therefore prays to grant bail to the petitioners.



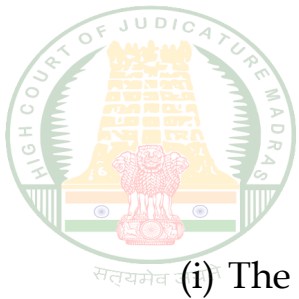
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5. Mr.K.Sanjai Gandhi, the learned Government Advocate (Crl. Side) appearing for the respondent-police, submits that the petitioners, along with the other accused persons, were involved in illegal quarrying of white stones. He further submits that the bail application filed by A1 to A3 was already dismissed as withdrawn by this Court. He further submits that if the petitioners are enlarged on bail, they will commit similar offences, cause threat to the witnesses, and tamper with evidence. He therefore, prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. The first and second petitioners/A4 and A5 were arrested and remanded to judicial custody on 16.02.2025, and the third and fourth petitioners/A6 and A7 were arrested and remanded to judicial custody on 17.02.2025. It is stated that the petitioners are drivers. In view of the offences allegedly committed by the petitioners and their involvement in the alleged crime, this Court is of the opinion that further custody of the petitioners may not be necessary in this case. The petitioners have permanent residence and deep roots in society. Therefore, there is a lesser possibility of absconding. Considering the same, and also considering the period of incarceration, this Court is inclined to grant bail to the petitioners, however, subject to certain conditions. Accordingly, bail is granted to the petitioners subject to the following conditions:



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(i) The petitioners shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) each along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned District Munsif cum Judicial Magistrate, Tiruchuli;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned District Munsif cum Judicial Magistrate, Tiruchuli shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioners shall furnish their residential address and mobile number to the learned District Munsif cum Judicial Magistrate, Tiruchuli;

(iv) The petitioners shall appear and sign before the respondent-Police weekly twice i.e, on every Monday and Friday at 10.00 a.m., until further orders;

(v) The petitioners shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(vi) The petitioners shall not commit an offence similar to the offence of which they are accused, or suspected, of the commission of which they are suspected;

(vii) The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the



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evidence; and

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(viii) On breach of any of the aforementioned conditions, the learned District Munsif cum Judicial Magistrate, Tiruchuli is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
13/03/2025

/ TRUE COPY /

14/03/2025

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

mbi

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, TIRUCHULI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, THIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE OFFICER INCHARGE, SUB JAIL, ARUPPUKOTTAI,
VIRUDHUNAGAR DISTRICT.



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

+1 CC to M/s.S.SIVAPRAKASH, Advocate (SR-2753[I] dated 13/03/2025)

ORDER

IN

CRL OP(MD) No.4399 of 2025

Date :13/03/2025

RS/IT/SAR-(14.03.2025) 6P 7C

Madurai Bench of Madras High Court is issuing
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