



CRL OP(MD). No.4436 of 2025

WEB COPY **BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

(Criminal Jurisdiction)

Dated : 10.03.2025

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.4436 of 2025

Sundarapandi

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu rep. by
The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
(Crime No.17 of 2025)

... Respondent/Complainant

For Petitioner : Mr.M.Gandhirajan,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side).

PETITION FOR BAIL Under Section 483 of B.N.S.S.

PRAYER :-

For Bail in Crime No.17 of 2025 on the file of the Respondent police.



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ORDER : The Court made the following order :-

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The petitioner/sole accused, who was arrested and remanded to judicial custody on 01.02.2025 for the offences punishable under Section 303(2) BNS r/w Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.17 of 2025, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner has illegally transported 10 units of red sand. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. However, he would further submit that the petitioner, without prejudice to his rights, is ready to deposit the amount that may be imposed by this Court.

4.The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the petitioner has transported 10 units of red sand illegally. He would further submit that the petitioner is not having any previous cases.



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5.Considering the above and also the nature of the charges levelled against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Aandipatti, Theni District, and on further condition 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall deposit a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** to the credit of the District Mineral Foundation Trust, Theni District, without prejudice to his rights and contentions before the trial Court. The petitioner shall execute the sureties on showing the receipt of the said amount.

[c]the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of thirty (30) days and thereafter as and when required for interrogation.



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[d]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner is 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 BNS.

sd/-
10/03/2025

/ TRUE COPY /

10/03/2025

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

CSM

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TO WEB COPY

- 1 THE JUDICIAL MAGISTRATE
AANDIPATTI, THENI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KADAMALAIKUNDU POLICE STATION,
THENI DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT JAIL, THEKKAMPATTI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE OFFICER INCHARGE
DISTRICT MINERAL FOUNDATION TRUST,
THENI DISTRICT.

ORDER
IN
CRL OP(MD) No.4436 of 2025
Date :10/03/2025

SS/SAR- /10/03/2025/ 5P/7C

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