



CRL OP(MD). No.4899 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Kadukka Karthick @ Karuppusamy

... Petitioner/ Accused Rank Not Known

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
Crime No.28 of 2025

... Respondent/ Complainant

For Petitioner : Mr.S.Muniyandi

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.28 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-



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This Criminal Original Petition has been filed by the petitioner on 13.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 303(2) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 21(1) of Mines and Minerals (Regulation and Development) Act, 1957 in Crime No.28 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 25.02.2025, at about 05.00 p.m., when the defacto complainant, VAO, along with the Village Assistant and Police Officials, were on surveillance in Manthivalasai river area, they noticed that the petitioner and other accused persons illegally excavated and transported 10 units of river sand. Hence, the case.

4. Mr.S.Muniyandi, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the name of the



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petitioner is not found in the First Information Report. He however submits that the
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petitioner is ready to abide by any conditions that may be imposed by this Court.
Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that there are totally five accused persons in this case and the petitioner is A4. He further submits that the petitioner illegally excavated and transported 10 units of river sand from Manthivalasai River, a branch of Vaigai River. He further submits that the petitioner has four previous cases, out of which, one is similar in nature, one is under Section 302 of IPC and remaining two cases are other IPC offences. He therefore submits that if pre-arrest bail is granted to the petitioner, he may commit similar type of offence. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. Considering the antecedents of the petitioner, this Court is of the view that if pre-arrest bail is granted to the petitioner, he will commit similar type of offences emboldenly. Further, in view of the fact that a previous case under Section 302 of IPC is pending, this Court is of the view that the custodial interrogation of the petitioner



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is absolutely necessary to unearth the truth. Hence, this Court is not inclined to grant
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pre-arrest bail to the petitioner. Accordingly, this Criminal Original Petition is
dismissed.

sd/-
17/03/2025

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/04/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE INSPECTOR OF POLICE,
PARAMAKUDI TALUK POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

ORDER
IN
CRL OP(MD) No.4899 of 2025
Date :17/03/2025

HPS/SAR / 03.04.2025/4P/3C

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