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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/03/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5485 of 2025

Mohan @ Chandramohan

... Petitioner/ Sole accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.
Crime No.135 of 2025.

... Respondent/ Complainant

For Petitioner : Mr. V.Chandrapandi
Advocate

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

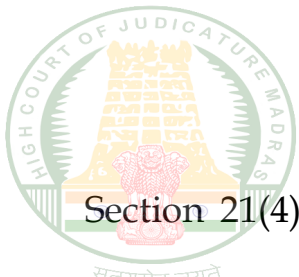
PRAYER :-

For Anticipatory Bail in Crime No.135 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 21.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail.

2. The petitioner / Sole accused apprehends arrest at the hands of the respondent-Police for the offence punishable under Sections 303(2) of BNS, r/w.



Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.135 of 2025, on the file of the respondent - police.

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3. The case of the prosecution is that on 18.03.2025, when the respondent-Police were on patrol duty, they found that the petitioner herein illegally excavated and transported $\frac{1}{4}$ units of river sand by using a Bullock Cart. On seeing the police, the petitioner fled from the place leaving the bullock carts behind. The police seized the same. Hence, the case.

4. Mr.V.Chandrapandi, the learned counsel for the petitioner, submits that the petitioner is an innocent person and that he has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.S.S.Manoj, learned Government Advocate (Crl. side), appearing for the respondent-Police, submits that there are 10 previous cases pending against the petitioner, which are similar in nature and if pre-arrest bail is granted to the petitioner, he will commit similar offence and cause loss to the wealth of nation. He further submits that the investigation of the case is still pending. Hence, he strongly opposes to grant pre-arrest bail to the petitioner.

6. Heard both sides and perused the records.

7. In view of the fact that the petitioner has 10 previous cases, which are



similar in nature. It is clear that the petitioner is a habitual offence. Therefore, if the pre-arrest bail is granted to him, he will commit similar type of offence and thereby, cause loss to the wealth of nation. Hence, this Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

25.03.2025

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/04/2025

Sub Assistant Registrar
(CS - I/II/III/IV)

Madurai Bench of Madras High Court,
Madurai.

TRP

TO

1 THE INSPECTOR OF POLICE, AYYAMPETTAI POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.5485 of 2025

Date :25/03/2025

RS (17/04/2025) 3P/ 3C

Madurai Bench of Madras High Court is issuing
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