



CRL OP(MD). No.5477 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5477 of 2025

Sankar,

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.
Crime No.119/2025..

... Respondent/ Complainant

For Petitioner : Mr.A.Arun Prasad,
Advocate.

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.119/2025 on the file of the respondent-Police.



CRL OP(MD). No.5477 of 2025

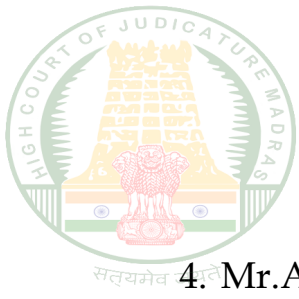
ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 21.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner/ A2 apprehends arrest at the hands of the respondent-Police for the offences punishable under Section 303(2) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 21(4) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.119 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 06.03.2025, at about 02.30 p.m., when the respondent police and other officials were patrolling to prevent the theft of sand, the police found that the petitioner has illegally excavated and transported $\frac{1}{4}$ unit of river sand by using Bullock Cart and pulsar bearing Registration No.TN 68 AB 0375 without any valid license or permission. The respondent-Police seized the same. Hence, the case.



CRL OP(MD). No.5477 of 2025

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4. Mr.A.Arun Prasad, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and 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, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner has illegally excavated and transported $\frac{1}{4}$ unit of river sand by using Bullock Cart and pulsar bearing Registration No.TN 68 AB 0375 without any valid license or permission. He further submits that there are four previous cases pending against the petitioner. Out of four previous cases, three cases are similar in nature. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. Considering the above and also considering the bad antecedents of the petitioner and taking note of the fact that the petitioner is a habitual offender and thereby causing loss to the environment and natural resources. Further, If pre-arrest



CRL OP(MD). No.5477 of 2025

bail is granted to the petitioner, he may commit similar offence and thereby, much loss to ecology and the wealth of the Nation. For the aforesaid reasons, this Court is not inclined to allow this petition.

8. Therefore, this Criminal Original Petition is dismissed.

sd/-
04/04/2025

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/05/2025

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

VSG

TO

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

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



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CRL OP(MD). No.5477 of 2025

ORDER IN
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Date :04/04/2025

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