



CRL OP(MD). No.5859 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5859 of 2025

K.Sundaram

... Petitioner/ accused No.1

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Valanadu Police Station,
Trichy District.
Crime No.193 of 2024.

... Respondent/Complainant

For Petitioner: Mr.K. Praveen Kumar
Advocate

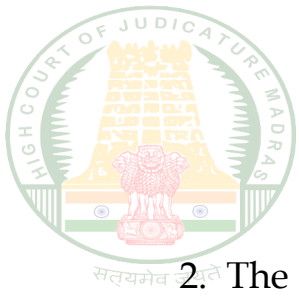
For Respondent: Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

PRAYER :-

For Anticipatory Bail in Crime No.193 of 2024 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 26.03.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail.



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2. The petitioner / Accused No.1, apprehends arrest at the hands of the respondent-Police for the offence punishable under Sections 303(2) of BNS, 2023 r/w. 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.193 of 2024, on the file of the respondent police.

3. The case of the prosecution is that on 26.12.2024, at about 4.00 pm., when the respondent-Police were on patrol duty, they found that the petitioner herein and other accused persons were illegally excavating and loading 1 unit of river sand in an un-numbered by using a Mini Truck. On seeing the Police, they escaped leaving the vehicle there. Hence, the case.

4. Mr.K. Praveen Kumar, the learned counsel for the petitioner, submits that the petitioner is an innocent person 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 that may be imposed by this Court. He therefore 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 4 previous cases pending against the petitioner, which are similar in nature. He further submits that the investigation of the case is pending and therefore, at this stage, if pre-arrest bail is granted to the petitioner he will cause threat to the witnesses. Hence, he strongly



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opposes to grant pre-arrest bail to the petitioner.

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6. Heard both sides and perused the records.

7. In view of the previous antecedents of the petitioner, this Court is of the view opinion that the petitioner is a habitual offender and therefore, if the pre-arrest bail is granted to the petitioner, he will commit similar type of offence and thereby, cause much loss to the wealth of the nation. Hence, this Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

sd/-

28/04/2025

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/04/2025

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

trp
TO

1. The Inspector of Police, Valanadu Police Station, Trichy District.
2. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No.5859 of 2025
Date :28/04/2025



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NBF/SAR/ (29/04/2025) 4P/3C

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

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