



CRL OP(MD). No.6723 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.6723 of 2025

S Muneeswaran

.. Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
(Crime No.388 of 2024).

... Respondent/Complainant

For Petitioner : Mr. S.Suresh Kumar
Advocate.

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

PRAYER :-

For Anticipatory Bail in Crime No.388 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 petitioners on 08.04.2025 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 offences punishable under Sections 303(2) of BNS, 2023 r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1987 in Crime No.388 of 2024, on the file of the respondent police.

3. The case of the prosecution is that on receiving the information, the defacto complainant has visited his patta land on 29.11.2024 at about 2.30 am, at that time, the petitioner herein and other accused have illegally excavated and transported 1 unit of Savudu sand by using a Tractor. Hence, the case.

4. Mr.S.Sureshkumar, 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 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 8 previous pending



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against the petitioner, out of which, five cases are similar in nature. He further submits that 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 defacto complainant and other witnesses. 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 antecedents of the petitioner, if the pre-arrest bail is granted to him, he may commit similar nature of offence and thereby, cause much loss to the Government as well as to the environment. Hence, this Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

sd/-
25/04/2025

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/05/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

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1 THE INSPECTOR OF POLICE,
UCHIPULI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

ORDER
IN
CRL OP(MD) No.6723 of 2025
Date :25/04/2025

SS/SAR- /26/05/2025/ 4P/3C

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