



CRL OP(MD). No.7861 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 29.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Nirupan Chakkaravarthi

... Petitioner/ A2

Vs

The State of Tamil Nadu,  
Rep by the Inspector of Police,  
Nainarkoil Police Station,  
Ramanathapuram District.  
Crime No.41 of 2025

... Respondent/ Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian  
Advocate

For Respondent : Mr.S.S.Manoj,  
Government Advocate (Crl.Side)

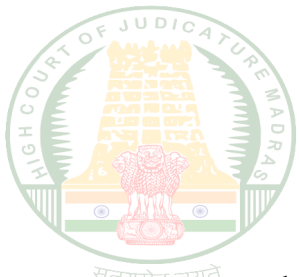
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.41 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 25.04.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to



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grant an order of pre-arrest bail.

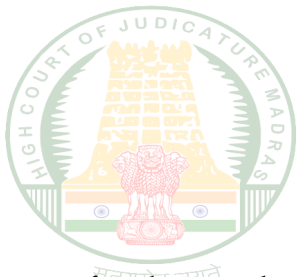
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2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Section 303(2) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.41 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 22.04.2025, at about 10.00 a.m., based on secret information, the respondent-Police was on patrol near Thalaiyadikottai Vilakku Road and found that 2 unit of river sand being illegally transported without valid permission in a vehicle bearing Registration No.TN 58 Y 8462. On enquiry, the respondent-Police found that the petitioner is the owner of the tractor. Hence, the case.

4. Mr.R.L.Dhilipan Pandian, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and that a false case has been foisted against him. He however submits that the petitioner is ready to abide any conditions to be imposed by this Court. Hence, he 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 the petitioner and other accused persons illegally excavated and transported two units of river sand from odai. He



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further submits that the petitioner has no previous case. However, he prays to dismiss this Criminal Original Petition.

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

7. In view of the offences allegedly committed by the petitioner, this Court is of the opinion that custodial interrogation of the petitioner is not necessary for the Investigation Agency in this case. Further, the petitioner has permanent residence and deep roots in the Society, and therefore, there is less possibility of absconding. Considering the same and taking into account the fact that the petitioner is a first offender and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Paramakudi, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate, Paramakudi;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of



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Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall make himself available for interrogation by a police officer as and when required;

(iv) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

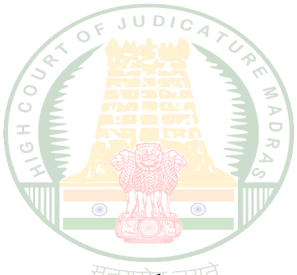
(v) The petitioner shall not leave India without the previous permission of the Court;

(vi) Thereafter, the petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m. until further orders;

(vii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Paramakudi; and

(viii) On breach of any of the aforementioned conditions, concerned Magistrate, or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the



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conditions stated *supra*.

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Sub-Assistant Registrar

(C.S.I / II / III / IV )

Madurai Bench of Madras High Court,

Madurai - 625 023.

*mbi*

TO

1.The Judicial Magistrate,  
Paramakudi.

2.Do Through  
The Chief Judicial Magistrate,  
Ramanathapuram.

3.The Inspector of Police,  
Nainarkoil Police Station,  
Ramanathapuram District.

4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.JEBASTIN, Advocate ( SR-5044[I] dated 29/04/2025 )

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Date : 29.04.2025

BV(27/05/2025) 5P /6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.