



CRL OP(MD). No.8184 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.8184 of 2025

Ramamoorthy

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu
Rep.By. The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram.
(In Cr.No.51/2025).

... Respondent/ Complainant

For Petitioner : Mr.M.Dinesh Hari Sudarsan
Advocate

For Respondent : Mr.M.Karunanithi
Government Advocate (Crl.Side)

PRAYER :-

For Anticipatory Bail in Crime No.51/2025 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 28.04.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to



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grant pre-arrest bail.

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2. The petitioner / Accused No.3, apprehends arrest at the hands of the respondent-Police for the offences punishable under Section 305(e) of BNS, 2023 r/w. Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1987 in Crime No.51 of 2025, on the file of the respondent police.

3. The case of the prosecution is that on 21.03.2025 at about 5.30 pm the respondent-police found that the petitioner herein and other accused have illegally excavated and transported 1 unit of river sand by using a Tractor at Malattaru River bed and on seeing the police two persons were fled from the occurrence. Hence, the case.

4. Mr.N.Dinesh Hari Sudarsan, 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.M.Karunanithi, learned Government Advocate (Crl. side), appearing for the respondent-Police, submits that there is one previous case pending against the petitioner, which is in similar nature. He further submits that A2 and A4



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have already been arrested and released on bail and both the vehicle and minerals were seized. 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 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/-

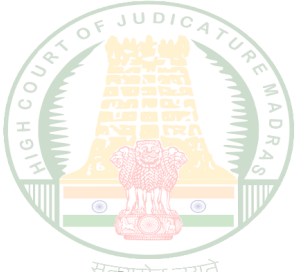
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Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP



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TO
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1. The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.8184 of 2025
Date : 30/04/2025

BV(27/05/2025) 4P /3C

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