



CRL OP(MD). No.8500 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/05/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.8500 of 2025

Ravichandran

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Thirukattupalli Police Station,
Thanjavur.
(Crime No. 89 of 2025).

... Respondent/ Complainant

For Petitioner : Mr.A.Sivasubramanian,
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :-

For Bail in Crime No. 89 of 2025 on the file of the respondent-Police.



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 06.05.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of bail.

2. The petitioner was arrested and remanded to judicial custody on 26.04.2025 for the offences punishable under Section 303(2) of Bharatiya Nyaya Sanhita (BNS), 2023 r/w Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.89 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that, on 26.04.2025 at about 07:00 a.m., while the respondent-Police were on patrolling to prevent sand theft near the Vennar river banks, they found that the petitioner, along with other accused persons, had illegally excavated and transported three bags of river sand in a two-wheeler bearing Registration No.TN-49-BD-1640, without any valid license or permission. On seeing the police, the Pillion Rider fled from the place. However, the respondent-Police surrounded the petitioner herein and caught hold him. The respondent-Police seized the river sand and the alleged vehicle from the petitioner herein. Hence, the case.



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4. Mr.A.Sivasubramanian, 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 further submits that the petitioner has been in judicial custody since 26.04.2025. He therefore prays to grant 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, along with other accused persons, had illegally excavated and transported three bags of river sand in a two-wheeler bearing Registration No.TN-49-BD-1640, without any valid license or permission. He further submits that there are six previous cases pending against the petitioner, out of which four cases are similar in nature. He also submits that the two-wheeler ridden by the petitioner, along with the sand, has been seized by the defacto complainant. Accordingly, he prays to dismiss this Criminal Original Petition.

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



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7. The petitioner was arrested on 26.04.2025 and has been in judicial custody since then. In view of the offences allegedly committed by the petitioner and the fact that the two-wheeler, allegedly used by the petitioner to transport three bags of river sand, has been seized by the defacto complainant, this Court is of the opinion that the further custody 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 hence, there is less possibility of absconding. Considering the same and also considering the period of incarceration and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate, Thiruvaiyaru;

(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 Practice, 2019']. The learned Judicial Magistrate, Thiruvaiyaru, shall obtain a copy of



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any one of identity proofs to ensure their identity;

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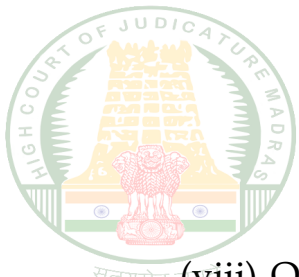
(iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Thiruvaiyaru;

(iv) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m., until further orders;

(v) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(vi) The petitioner shall not commit an offence similar to the offence of he is accused, or suspected, of the commission of which he is suspected;

(vii) 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 or tamper with the evidence; and



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(viii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Thiruvaiyaru, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him 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 conditions stated supra.

sd/-
08/05/2025

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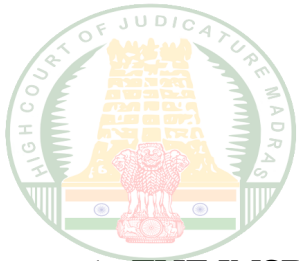
/05/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE JUDICIAL MAGISTRATE
THIRUVAIYARU

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT @ KUMBAKONAM.

3 THE OFFICER INCHARGE
SUB JAIL, THANJAVUR.



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4 THE INSPECTOR OF POLICE
THIRUKATTUPALLI POLICE STATION,
THANJAVUR.

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

ORDER
IN

CRL OP(MD) No.8500 of 2025
Date :08/05/2025

HPS/12.05.2025 /7P/6C

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