



CRL OP(MD). No.8653 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/05/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Gnanasekaran

... Petitioner/ Accused

Vs

State of Tamilnadu
Rep by the Inspector of Police,
Kabisthalam Police Station,
Thanjavur District.
(Crime No. 126 of 2025).

... Respondent/ Complainant

For Petitioner : Mr.K.Suyambulinga Bharathi.
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 126 of 2025 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 03.05.2025 for the offences under sections 303(2) of BNS r/w. 21(4) of



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Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.126 of 2025 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner has illegally transported 1/4 unit of river sand in a Bullock cart, without any valid permission. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. He would further submit that the petitioner is in custody from 03.05.2025. Hence, he seeks bail.

4. The learned Additional Public Prosecutor would submit that the petitioner has illegally transported 1/4 unit of river sand in a Bullock cart without any valid permission. Hence, he objected to grant bail to the petitioner. However, he fairly concedes that the property has been recovered and the petitioner has no previous case.

5. Taking into consideration the facts and circumstances of the case and also the fact that property has been recovered and also taking into consideration the period of incarceration and taking note of the fact the quantity of the seized river sand and the petitioner has no previous case, this court is inclined to grant bail to the petitioner, subject to the certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for



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a like sum to the satisfaction of learned Judicial Magistrate, Papanasam and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Chairman/District Collector, District Mineral Foundation Trust of the concerned District, without prejudice to their defence before the trial Court and produce the acknowledgment at the time of executing bond;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of thirty days and thereafter as and when required for interrogation;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]; and



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[g] If the accused thereafter absconds, a fresh FIR can be registered under
Section 269 of BNS, 2023.

sd/-
22/05/2025

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

APD
TO

1 THE JUDICIAL MAGISTRATE,
PAPANASAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,
SUB JAIL, PAPANASAM.

4 THE INSPECTOR OF POLICE,
KABISTHALAM POLICE STATION,
THANJAVUR DISTRICT.

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

COPY TO:
THE CHAIRMAN / DISTRICT COLLECTOR,
DISTRICT MINERAL FOUNDATION TRUST,
THANJAVUR DISTRICT.



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ORDER
IN
CRL OP(MD) No.8653 of 2025
Date :22/05/2025

SA/SAR. /23.05.2025/5P/7C

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