



CRL OP(MD). No.8737 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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1. Suriyavarman
2. Anbalagan

... Petitioners/ Accused

Vs

The State of Tamilnadu
Rep., by, the Inspector of Police,
Thirukattupallai Police Station,
Thanjavur.
(Crime No. 92 of 2025).

... Respondent/ Complainant

For Petitioner : Mr.A. Sivasubramanian.
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 92 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 & A2, who were arrested and remanded to judicial custody on 29.04.2025 for the offences under sections 303(2) of BNS r/w. 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.92 of



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2025 on the file of the respondent police, seek bail.

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2. The case of the prosecution is that the petitioners have illegally transported 1/4 unit of river sand by using Tata Sumo, bearing registration No.TN-49-BK-9342, without any valid permission. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and a false case has been foisted against him. He would further submit that the petitioners are in custody from 29.04.2025. Hence, he seeks bail.

4. The learned Additional Public Prosecutor would submit that the petitioners have illegally transported 1/4 unit of river sand by using Tata Sumo, bearing registration No.TN-49-BK-9342, without any valid permission. Hence, he objected to grant bail to the petitioners. However, he fairly concedes that the property has been recovered and the petitioners have 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 petitioners have no previous case, this court is inclined to grant bail to the petitioners, subject to the certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two



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sureties, each for a like sum to the satisfaction of learned Judicial Magistrate,
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Thiruvaiyaru, Thanjavur, 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) each 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 petitioners 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 petitioners shall not abscond either during investigation or trial;

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme



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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 (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

APD

TO

1. THE JUDICIAL MAGISTRATE, THIRUVAIYARU, THANJAVUR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM.
3. THE CHAIRMAN/DISTRICT COLLECTOR,
DISTRICT MINERAL FOUNDATIONTRUST,
THANJAVUR DISTRICT.
4. THE OFFICER-IN-CHARGE, SUB JAIL, THANJAVUR.
5. THE INSPECTOR OF POLICE,
THIRUKATTUPALLAI POLICE STATION,
THANJAVUR.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER
IN
CRL OP(MD) No.8737 of 2025
Date :22/05/2025

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