



CRL OP(MD). No.9346 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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K.Karuppuchamy @ Kadukkan Karthick @ Karuppusamy,
S/o.Kannan,
Panaiyadiyenthal, Muthukulathur Taluk,
Now at Thelichathanallur,
Permakudi Taluk,
Ramanthapuram District.

..Petitioner/ Accused NO.2

Vs

The State rep.by
The Inspector of Police,
Parthibanur Police Station,
Ramanathapuram District.
(Crime No.37 of 2025)

... Respondent/ Complainant

For Petitioner : M/s.N.Mohamed Ayyadurai
Advocate.

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.37 of 2025 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

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The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 20.03.2025 for the offences punishable under Sections 303(2) and U/s.21 (1) of the Mines and Minerals (Development & Regulations) Act, 1957 in Crime No.37 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 20.03.2025, the respondent police and other officials have conducted a routine surveillance, at that time the accused persons were illegally excavated river sand and transported the same without having any valid license or permit, by using Tipper lorry and car. Hence, the case.

3. The learned counsel for the petitioner would submit that this petitioner is the owner of the vehicle, he has not committed any offences as alleged by the prosecution. The petitioner is an innocent person and he has been falsely implicated in the case. The petitioner is ready and willing to abide and conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 20.03.2025 nearly 78 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the respondent police conducted surveillance, at that time the accused persons illegally excavated 3 unit river sand and they illegally transported the same. In this case,



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there are six accused, the petitioner was arrayed as second accused. The petitioner is having three previous cases, all are similar in nature. Hence, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the petitioner/accused No.2 remanded into judicial custody on 20.03.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of Judicial Magistrate, Paramakudi 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 petitioner 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



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defenceⁿ before the trial Court and produce the acknowledgment at the time of
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executing bond;

[c] The petitioner shall furnish his residential address and mobile number to the Judicial Magistrate, Paramakudi. If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate, Paramakudi;

[d] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m. until further orders.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] 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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court
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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-
05/06/2025

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/06/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN
TO

1. THE JUDICIAL MAGISTRATE,
PARAMAKUDI.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE SUPERINTENDENT, CENTRAL JAIL,
MADURAI.
4. THE INSPECTOR OF POLICE,
PARTHIBANUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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COPY TO:

THE CHAIRMAN/DISTRICT COLLECTOR,
DISTRICT MINERAL FOUNDATION TRUST,
RAMANATHAPURAM.

+1 CC to M/s.N.MOHAMED AYYADURAI, Advocate (SR-5929[I] dated
05/06/2025)

ORDER
IN
CRL OP(MD) No.9346 of 2025
Date :05/06/2025

HPS/05.06.2025 /6P/8C

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