



CRL OP(MD). No.9192 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 04/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9192 of 2025

Petchimuthu,
S/o.Shanmugam,
No.1/160, Jeya Nagar,
Keelappattam,
Tirunelveli.

..Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep.by the Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli District.
(Crime No.384 of 2025)

.. Respondent/ Complainant

For Petitioner : M/s.A.Ranjith Kumar
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.384 of 2025 on the file of the Respondent Police.



CRL OP(MD). No.9192 of 2025

ORDER: This Court made the following order :-

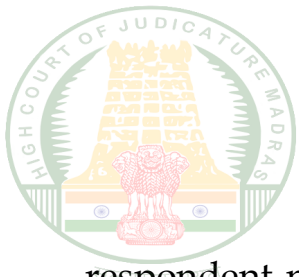
WEB COPY

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 24.05.2025 for the offences punishable under Sections 303(2) of BNS and 21(4) of MMDR Act in Crime No.384 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that On 24.05.2025 at about 11.00p.m., the respondent conducted surveillance, at that time the petitioner and other accused persons were illegally taking Kuruvai Sand nearby the petitioner's bricks chamber. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide by any conditions imposed by this Court. He would further submit that the petitioner is in custody from 24.05.2025 nearly 11 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner and other accused persons were illegally taking Kuruvai Sand. The



CRL OP(MD). No.9192 of 2025

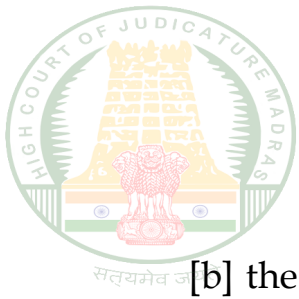
WEB COPY

respondent police have seized the said Kuruvai Sand from the accused persons. In this case, A2 and A3 are still in custody. The 4th accused has absconded. The petitioner is having three previous cases, all cases are under Essential Commodities Act. Hence, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and considering the fact that the Kuruvai Sand was recovered by the respondent police and also taking note of the fact that the petitioner/accused No.2 is remanded into judicial custody on 24.05.2025, 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 No.III, Tirunelveli 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.



CRL OP(MD). No.9192 of 2025

WEB COPY

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

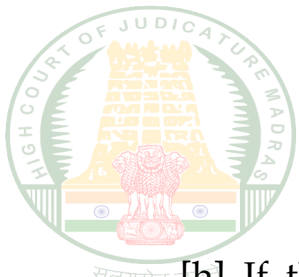
[c] The petitioner shall furnish his residential address and mobile number to the Judicial Magistrate No.III, Tirunelveli. If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate No.III, Tirunelveli;

[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 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].



CRL OP(MD). No.9192 of 2025

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

sd/-
04/06/2025

/ TRUE COPY /

04/06/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN

TO

1. THE JUDICIAL MAGISTRATE NO.III,
TIRUNELVELI.
2. THE CHIEF JUDICIAL MAGISTRATE, TIURNELVELI.
3. THE SUPERINDENT, CENTRAL PRISON,
PALAYAMKOTTAI.
4. THE CHAIRMAN/DISTRICT COLLECTOR,
DISTRICT MINERAL FOUNDATION TRUST, TIRUNELVELI.
5. THE INSPECTOR OF POLICE,
TIRUNELVELI TALUK POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.384 OF 2025)
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

<https://www.hmc.tn.gov.in/judis>



CRL OP(MD). No.9192 of 2025

WEB COPY +1 CC to M/s.A.RANJITH KUMAR, Advocate (SR-5925[I] dated 04/06/2025)

ORDER
IN
CRL OP(MD) No.9192 of 2025
Date :04/06/2025

PR/04.06 .2025 6P/8C

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