



CRL OP(MD). No.9414 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

CRL OP(MD). No.9414 of 2025

1. Ramu,
S/o.Balraj,
No.36,Pudhu Theru Kodikalur,
Karanthai, Thanjavur District.

2. Lakshmanan,
S/o.Balraj,
No.36, Pudhu Theru Kodikalur,
Karanthai,
Thanjavur District.

..Petitioners/ AccusedNos.2 & 3

Vs

The State of TamilNadu
rep.by
The Inspector of Police,
Thanjavur Town East Police Station,
Thanjavur District.
(Crime No.119 of 2025)

... Respondent/ Complainant

For Petitioner : M/s.G.Senthil Murugan
Advocate.

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



CRL OP(MD). No.9414 of 2025

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.119 of 2025 on the file of the Respondent Police.

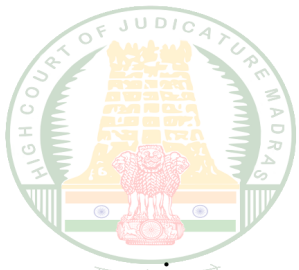
ORDER : This Court made the following order :-

The petitioners / Accused Nos.2 &3, who were arrested and remanded to judicial custody on 03.05.2025 for the offences punishable under Sections 303(2) of BNS 2023 and Section 21(4) of Mines and Minerals (Development & Regulations) Act, 1957 in Crime No.119 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 03.05.2025, the respondent police had conducted routine surveillance, at that time they found that the accused persons were illegally transported $\frac{1}{4}$ unit of river sand in the bullock carts. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The petitioners are ready and willing to abide and conditions that may be imposed by this Court. He would further submit that the petitioners are in custody from 03.05.2025 nearly 30 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the respondent police found that the petitioners illegally transported $\frac{1}{4}$ unit of river sand by using bullock cart without having any valid permit. The river sand and bullock carts were seized by the respondent police. The first accused having one



CRL OP(MD). No.9414 of 2025

previous case, which is similar in nature and other accused persons have no previous cases. However, he objected to grant bail to the petitioner.

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5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the river sand and bullock cart were seized, except A1 other accused persons have no previous cases, the petitioners/accused are remanded into judicial custody on 03.05.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties, each for a like sum to the satisfaction of Judicial Magistrate No.I, 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



CRL OP(MD). No.9414 of 2025

executing bond;

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[c] The petitioners shall furnish their residential address and mobile numbers to the Judicial Magistrate No.I, Thanjavur. If the petitioners changes their residential address, they shall report the same to the Judicial Magistrate No.I, Thanjavur;

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

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

[f] the petitioners 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.9414 of 2025

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[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 NO.I,
THANJAVUR.
- 2 THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR.
4. The Inspector of Police,
Thanjavur Town East Police Station,
Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



CRL OP(MD). No.9414 of 2025

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COPY TO:

The Chairman/District Collector,
District Mineral Foundation Trust
Thanjavur District,

ORDER
IN
CRL OP(MD) No.9414 of 2025
Date :05/06/2025

MK/05.06.2025 6P/7C

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