



CRL OP(MD). No.9867 of 2025

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

Date : 11.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

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Lenin,
S/o.Aasaithambi

...Petitioner / Accused No.4

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
(Crime No.104 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.R.Balakrishnan,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.

PRAYER :- For Bail in Crime No.104 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner / accused, who was arrested and remanded to judicial custody on 27.05.2025 for the offences under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023, and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.104 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is on 14.05.2025, the petitioner, along with accused Nos.5 to 8, attempted to illegally transport 250 units of sand using a tractor bearing Registration No.TN-49-S-7506 and a tipper lorry bearing Registration No.TN-49-AF-9595, with the assistance of two JCB machines. The further case of the prosecution is that the petitioner and the co-accused did not obtain any permit from the competent authorities for the mining and transportation of the sand. Upon the arrival of the police party, the petitioner deflated the right-side tyre of the tipper lorry and fled from the scene. All other vehicles were seized and taken into custody, except the said tipper lorry. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an



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innocent and he has not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioner. He would further submit that the petitioner was arrested on 27.05.2025. He would further submit that the petitioner is presently subjected to pre-trial incarceration. Earlier, the petitioner had filed a bail petition before the Vacation Sessions Judge, Ramanathapuram, in Crl.M.P. No.213 of 2025, which was dismissed on 29.05.2025 on the ground that the investigation was at a preliminary stage. He would further submit that, on 08.06.2025, the petitioner experienced chest pain and was emergently admitted to the Government Medical College Hospital, Ramanathapuram. He would further submit that the petitioner is suffering from strokes, and unless proper and continuous medical treatment is provided, there is a serious threat to his life. He would further submit that the petitioner is in custody from 25.05.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that there are totally eight accused persons in this case and the petitioner has been arrayed as A4. He would further submit that there is one previous case pending against the petitioner. He would further submit that the petitioner had already filed a bail petition in Crl.O.P.(MD) No.9366 of 2025, and the same was dismissed on



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05.06.2025. He would further confirm the fact that the petitioner was admitted to the
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Government Medical College Hospital, Ramanathapuram. He, however, would submit that the investigation in this case is still pending and that, at this stage, if bail is granted to the petitioner, he will abscond and tamper with the evidence. He, therefore, opposes the grant of bail to the petitioner.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the nature of the offence allegedly committed by the petitioner and also taking into consideration the period of incarceration and also considering the change of circumstances, this court is inclined to grant bail to the petitioner, however, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his 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 learned Judicial Magistrate, Thiruvadanai and on further conditions that:-



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[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.

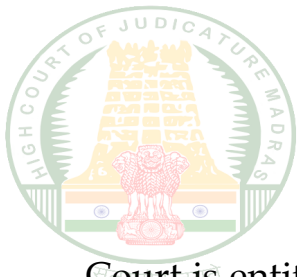
[b] the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Thiruvadanai. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate, Thiruvadanai.

[c] the petitioner shall report before the respondent police 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



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Court is entitled to take appropriate action against the petitioner in accordance with
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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].

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

8. In the result, this Criminal Original Petition is allowed subject to the
conditions stated supra.

sd/-
11/06/2025

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11/06/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Judicial Magistrate,
Thiruvadanai.
2. Do-Through The Chief Judicial Magistrate,
Ramanathapuram District.
3. The Officer-in-Charge,



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Sub-Jail,
Ramanathapuram.

4. The Inspector of Police,
Thondi Police Station,
Ramanathapuram District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.BALAKRISHNAN, Advocate (SR-6149[I] dated 11/06/2025)

ORDER
IN

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Date :11/06/2025

HPS/11.06.2025 /7P/7C

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