



CRL OP(MD).No.10030 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10030 of 2025

Raja,
S/o.Subramanian,

..Petitioner/ Accused No.1

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.
(Crime No.191 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.K.M.Karunakaran
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.191 of 2025 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 05.06.2025 for the offences punishable under Sections 189(2), 296(b), 281, 121(1), 109, 303(2) of BNS, 2023 r/w.21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.191 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 04.06.2025, the respondent police and other officials had conducted surveillance, at that time, the accused persons were illegally transported river sand in a vehicle, when the same was questioned by the officials, the accused persons used abusive language against them and threatened them with dire consequences. Hence, the case.

3. The learned counsel for the petitioner would submit that a false complaint has been lodged against this petitioner. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. In this case, already the accused No.6 was enlarged on bail by this Court on 16.06.2025 in Crl.O.P.(MD). No.9969 of 2025. 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 05.06.2025 nearly 12 days. Hence, he seeks bail.



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4. The learned Government Advocate (Criminal Side) would submit that the accused persons were illegally transported one unit of river sand. The same was questioned by the officials, the accused persons threatened the official with dire consequences. The property was recovered from the accused persons. In this case, totally there are six accused, this petitioner was arrayed as Accused No.1. The Accused No.6 was already enlarged on bail. This petitioner is having five previous cases, all are similar in nature. Hence, he strongly 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 in this case, the property was recovered by the respondent police, already the co-accused was enlarged on bail, FIR was registered on 04.06.2025, by this time, the investigation might have been completed, the petitioner/accused No.1 remanded into judicial custody on 05.06.2025, 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



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sureties, each for a like sum to the satisfaction of Judicial Magistrate, Pattukottai 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.10,000/- (Rupees Ten Thousand only)** to the credit of the **Chairman/District Collector, District Mineral Foundation Trust of the concerned District**, without prejudice to his defence before the trial Court and produce the acknowledgment at the time of executing bond;

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

[d] the petitioner shall appear and sign before the respondent police daily twice at 10.30 a.m. and 05.30p.m., until further orders.



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[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].

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

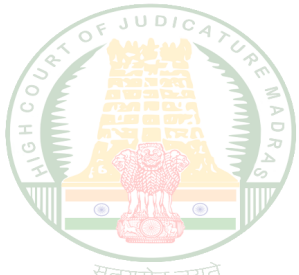
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17/06/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN

5/6



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TO

1 THE JUDICIAL MAGISTRATE
PATTUKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
PATTUKOTTAI TALUK POLICE STATION,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-6373[I] dated 17/06/2025)

ORDER

IN

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Date :17/06/2025

SS/SAR- /17/06/2025/ 6P/8C

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