



CRL OP(MD). No.10375 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10375 of 2025

Murugesan,
S/o. Chinnadurai,
Periya Theru, Palliagraharam,
Vennaru Taluk,
Thanjavur District.

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kallaperambur Police Station,
Thanjavur District.
Crime No.94 of 2025.

... Respondent/ Complainant

For Petitioner : Mr.Dhilipan Pandian R L,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Cr.No.94 of 2025 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner / Accused No.5, who was arrested and remanded to judicial custody on 09.06.2025 for the offences punishable under Sections 303(2)& 49 BNS and r/w.Section.21(1) of the Mines and Minerals (Development & Regulations) Act, 1957, in Crime No.94 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 24.05.2025, the respondent police and other officials have conducted a routine surveillance, at that time the petitioner along with other accused persons were illegally transported 2 ½ units of river sand without having any valid license or permit, by using Tipper lorry. Hence, the case.

3. The learned counsel for the petitioner would submit that this 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 09.06.2025 onwards. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the



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respondent police and other officials have conducted a routine surveillance, at that time the petitioner along with other accused persons were illegally transported 2 ½ units of river sand without having any valid license or permit, by using Tipper lorry. In this case, there are six accused, the petitioner was arrayed as fifth accused. The petitioner is having five 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.5 remanded into judicial custody on 09.06.2025, 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 sureties, each for a like sum to the satisfaction of Judicial Magistrate No.II, Thanjavur District 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



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Book to ensure their identity.

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[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 mobile number to the Judicial Magistrate No.II, Thanjavur District. If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate No.II, Thanjavur District;

[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



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investigation or trial.

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[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.

sd/-
23/06/2025

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23/06/2025

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

LS
TO

1 THE JUDICIAL MAGISTRATE NO.II
THANJAVUR DISTRICT.

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



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3 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR, THANJAVUR DISTRICT.

4 THE INSPECTOR OF POLICE,
KALLAPERAMBUR POLICE STATION,
THANJAVUR DISTRICT.

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.R.L.DHILIPAN PANDIAN, Advocate (SR-6658[I] dated 23/06/2025)

ORDER
IN

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Date :23/06/2025

SS/SAR- /23/06/2025/ 6P/8C

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