



CRL OP(MD).No.10301 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.10301 of 2025

and

Crl.M.P.(MD).No.8219 of 2025

Ramasamy,
S/o.Muthusamy,

Vs

...Petitioner/ Accused No.7

The State of Tamilnadu
rep.by The Inspector of Police,
Vangal Police Station,
Karur District.
(Crime No.135 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.B.Santhanam Rajesh Kumar, Advocate.

For Respondent : Mr.M.Karunanithi

Government Advocate (Crl.Side)

For Intervener : Mr.M.Rajaguru

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.135 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused No.7, who was arrested and remanded to judicial

custody on 05.06.2025 for the offences punishable under Sections 303(2), 336(3), 340



CRL OP(MD).No.10301 of 2025

(2) of BNS, 2023 r/w.21(1) of Mines and Minerals (Development & Regulation) Act
WEB COPY
in Crime No.135 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 05.06.2025, at about 3.00a.m. the respondent police while on patrolling duty, at that time, near Manmangalam Bridge totally 26 tipper lorry out of 12 lorries were loaded each 3 units of river sand and illegally transported the same without getting permission from the concerned authorities. Hence the case,

3. The learned counsel for the petitioner would submit that there are totally ten accused persons were involved in this case, this petitioner was arrayed as seventh accused. This petitioner is only a driver of the lorry. 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 any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 05.06.2025 nearly 27 days. Hence, he seeks bail.

4. The learned Counsel appearing for the intervener would submit that this petitioner is a habitual offender and he is repeatedly involving in the sand theft. It is pertinent to mention that 26 vehicles have been involved in the said occurrence and the case is registered only against 10 person and the respondent police have specifically represented before the trial Court that 100 tons of river sand has been



CRL OP(MD).No.10301 of 2025

involved in the offence. He further pointed out that the accused persons have been manipulated fake rubber stamps, bill books and more particularly, they were holding fake permits. The accused persons were destroying the natural resources. Hence, he objected to grant bail to the petitioner.

5. The learned Government Advocate (Criminal Side) would submit that totally there are ten accused persons and this petitioner was arrayed as seventh accused. The respondent police have seized the 26 lorries out of which 12 lorries were loaded with each three units of river sand. This petitioner is the driver of the one of the lorry which stands at the time of occurrence. The other co-accused i.e., Accused Nos.1 to 5 accused were enlarged on bail by the Principal District and Sessions Judge, Karur. There is no previous case against this petitioner. However, he objected to grant bail to the petitioner.

6. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that in this case, all the vehicles and properties were recovered by the respondent police, already the co-accused were enlarged on bail by the Principal District and Sessions Judge, Karur, the petitioner/accused No.7 is in judicial custody from 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:



CRL OP(MD).No.10301 of 2025

WEB COPY

7. 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 learned Judicial Magistrate Court No.2, Karur, Karur 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 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 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 contact number to the learned Judicial Magistrate Court No.2, Karur, Karur District. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate Court No.2, Karur, Karur 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 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



CRL OP(MD).No.10301 of 2025

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.

8. Consequently, connected miscellaneous petition is closed.

sd/-
03/07/2025

/ TRUE COPY /

/07/2025
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.II
KARUR, KARUR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, KARUR, KARUR DISTRICT.

4. The Inspector of Police,
Vangal Police Station,
Karur District.

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

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



CRL OP(MD).No.10301 of 2025

WEB COPY
COPY TO:

The Chairman/District Collector,
District Mineral Foundation Trust, Karur District.

ORDER
IN

CRL OP(MD) No.10301 of 2025

Date :03/07/2025

MK/03.07.2025 6P/7C

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