



CRL OP(MD).No.10396 of 2025

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

Date : 23/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10396 of 2025

K.Kalaivanan,
S/o.Karuppaiyan,

..Petitioner/ Accused No.11

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
(Crime No.373 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.Lenin Kumar
Advocate

For Respondent : Mr.S.Prakash
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.373 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2), 326(a) of BNS and Section 3(2) of TN Public Property (Prevention of Damage and Loss) Act, 1992 in Crime No.373 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 12.06.2025, when the respondent police was on surveillance, a vehicle was parked on the backside of A1's land near river bed loaded one unit of river sand. The police officials sized the vehicle along with the sand. At the time, the respondent police found a huge cluster of sand was being dumped in the land near river bed. It is further averred that this petitioner and other accused persons removed four units of sand and stored in his land. Totally 197 units of sand was being stolen by the accused persons and kept in their own land. Hence, the case.

3. The learned counsel for the petitioner would submit that in this case, there are totally 17 accused, this petitioner was arrayed as Accused No.11. This petitioner has not present in the scene of occurrence. The petitioner is a innocent person and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that this



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petitioner and other accused were illegally excavated 197 units of river sand and later it was valued at 447 units of river sand. The act of the petitioner and other accused caused a major loss and destruction to the flow of water. Huge amount of river sand was excavated from the river illegally. In this case, the A1, A2, A3 and A9 were arrested and they are still in judicial custody. In this case, investigation is in preliminary stage. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the nature and gravity of the offence and considering the fact that huge quantity of property was involved in this case, the other co-accused were arrested and they are still in judicial custody, in this case, investigation is in preliminary stage, at this stage, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
23/06/2025

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/07/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn
TO

1 THE INSPECTOR OF POLICE, THANJAVUR TALUK, THANJAVUR TALUK

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POLICE STATION, THANJAVUR DISTRICT.

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

ORDER

IN

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Date :23/06/2025

NBF/03.07.2025 4P/3C

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