



CRL OP(MD).No.10632 of 2025

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

Date : 26/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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1. Anand @ Anandakumar,
S/o.Ayyappan

2. Surya,
S/o.Punniyamoorthy

..Petitioners/ Accused
Nos.1 & 2

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Ammappettai Police Station,
Thanjavur District.
(Cr.No.314/2025)

.. Respondent/ Complainant

For Petitioner : Mr.T.Mahendran
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :- For Bail in Crime No.314 of 2025 on the file of the Respondent Police.

ORDER: This Court made the following order :-

The petitioners / Accused Nos.1 & 2, who were arrested and remanded to judicial custody on 12.06.2025 & 13.06.2025 respectively for the offences punishable under Sections 303(2) of BNS 2023, r/w.21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Cr.No.314 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 12.06.2025, the respondent police have conducted routine checkup, at that time, these petitioners and other accused persons were illegally transported one unit of river sand. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. The petitioners are ready and willing to abide and conditions that may be imposed by this Court. He would further submit that the petitioners are in custody from 12.06.2025 and 13.06.2025 respectively, nearly 14 days. Hence, he seeks bail.

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



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during the routine surveillance duty, the respondent police found that these petitioners and other accused persons were in illegally transported one unit of river sand. The properties were seized by the respondent police. The first petitioner is having eight previous cases and the second petitioner is concerned, there is no previous case against him. However, 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 entire property was seized, the petitioners/accused Nos.1 & 2 remanded into judicial custody on 12.06.2025 & 13.06.2025 respectively, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of District Munsif cum Judicial Magistrate, Papanasam 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 first petitioner shall make a non-refundable deposit of **Rs.10,000/-**



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(Rupees Ten Thousand only) and the second petitioner shall make a non-
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refundable deposit of **Rs.5,000/- (Rupees Five 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 petitioners shall furnish their residential address and contact number
to the District Munsif cum Judicial Magistrate, Papanasam. If the petitioners
changes their residential address, they shall report the same to the District Munsif
cum Judicial Magistrate, Papanasam;

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

[e] the petitioners shall not abscond either during investigation or trial.

[f] the petitioners 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].



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

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

GVN

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
PAPANASAM

2 THE CHIEF JUDICIAL MAGISTRATE,
PAPANASAM,
THANJAVUR DISTRICT.

3 THE OFFICER INCHARGE,
SUB-JAIL,
PAPANASAM.

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

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

5/6



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

ORDER
IN
CRL OP(MD) No.10632 of 2025
Date :26/06/2025

NM/26.06.2025 6P/7C

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