



CRL OP(MD).No.10473 of 2025

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

Date : 24/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10473 of 2025

Sivakumar,
S/o.Shanmugam

..Petitioner/ A4

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
(Crime No.373 of 2025)

..Respondent/Complainant

For Petitioner : Mr.A.Arun Prasad,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.373 of 2025 on the file of the Respondent Police.



CRL OP(MD).No.10473 of 2025

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ORDER : This Court made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on 12.06.2025 for the offences punishable under Sections 303(2) and 326(a) of BNS, 2023 r/w. Section 3(2) of TN Public Property (Prevention of Damage & Loss) Act, 1992 in Crime No.373 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on secret information regarding the illegal storage of river sand, the respondent police proceeded to the spot and found that the petitioner had stored 18 units of river sand on his land. Hence, the present case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The petitioner has been implicated in this case solely based on the confession of the co-accused. 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 12.06.2025. Hence, he seeks bail.



CRL OP(MD).No.10473 of 2025

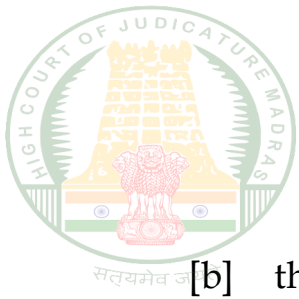
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4. The learned Government Advocate (Criminal Side) would submit that the petitioner has been arrayed as A4 in this case. A1 to A3, A6 to A9 and A12 were arrested and are still in custody. He would further submit that the entire properties have been recovered. Hence, he opposed 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 was remanded to judicial custody on 12.06.2025, and that the entire properties have already been recovered, and considering 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 the learned Judicial Magistrate No.II, Thanjavur 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.



CRL OP(MD).No.10473 of 2025

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[b] the petitioner shall deposit a sum of Rs.40,000/- (Rupees Forty Thousand only) to the credit of the District Mineral Foundation Trust, Thanjavur District as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate No.II, Thanjavur shall accept the sureties furnished by the petitioner;

[c] the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate No.II, Thanjavur. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.II, Thanjavur;

[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.



CRL OP(MD).No.10473 of 2025

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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 of BNS.

sd/-
24/06/2025

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24/06/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN

TO

1.THE JUDICIAL MAGISTRATE NO.II,
THANJAVUR



CRL OP(MD).No.10473 of 2025

2. THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.

3. THE OFFICER IN CHARGE
SUB JAIL, THANJAVUR.

4. THE OFFICER INCHARGE,
THE DISTRICT MINERAL FOUNDATION TRUST,
THANJAVUR DISTRICT.

5. THE INSPECTOR OF POLICE,
THANJAVUR TALUK POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER
IN

CRL OP(MD) No.10473 of 2025

Date :24/06/2025

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