



CRL OP(MD).No.10556 of 2025

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

Date : 25/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10556 of 2025

**Thavamani,
S/o.Saminathapillai,**

**...Petitioner/ Accused
No.1**

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.C.Senthil Murugan
Advocate.**

**For Respondent : Mr.B.Thanga Aravindh
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.

ORDER : This Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody



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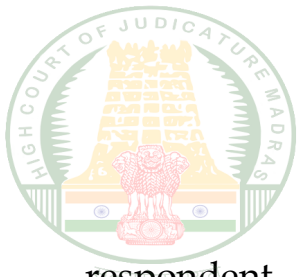
on 12.06.2025 for the offences punishable under Sections 326(a), 303(2) of BNS, 2023
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r/w.Section 3(2) of TNPPDL Act in Crime No.373 of 2025 on the file of the
respondent police, seeks bail.

2. The case of the prosecution is that based on the secret information regarding the illegal storage of river sand, the respondent police proceeded to the spot and found that the petitioner had stored 20 units of river sand on his land. Hence, the 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 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 12.06.2025 nearly 13 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the respondent found that the petitioner was in illegal possession of 20 units of river sand in his property. This petitioner has been arrayed as A1 in this case, the other accused were arrested and still in custody. The entire properties have been recovered from the accused person. 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 properties were seized by the



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respondent police, the petitioner/accused remanded into judicial custody on 12.06.2025, 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 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.75,000/- (Rupees Seventy 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 petitioner shall furnish his residential address and contact number to the Judicial Magistrate No.II, Thanjavur. If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate No.II, Thanjavur;

[d] the petitioner shall appear and sign before the respondent police daily at



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10.30 a.m., until further orders.

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[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 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/-
25/06/2025

/ TRUE COPY /

25/06/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn
TO

1 THE JUDICIAL MAGISTRATE NO.II, THANJAVUR.

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



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3 THE OFFICER INCHARGE, DISTRICT PRISON, THANJAVUR.

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

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

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

ORDER
IN

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Date :25/06/2025

NBF/25.06.2025 5P/7C

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