



CRL OP(MD). No.10643 of 2025

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

Date : 26/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10643 of 2025

**Murugesan,
S/o.Veluchamy.**

..Petitioner/ Accused No.1

Vs

**The State of Tamil Nadu,
Rep.by The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.
(Crime No.260 of 2025) .. Respondent/ Complainant**

**For Petitioner : M/s.S.M.Anantha 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.260 of 2025 on the file of the Respondent Police.

ORDER: This Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial



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custody on 07.06.2025 for the offences punishable under Sections 303(2) of BNS, 2023 r/w.21(1) of Mines and Minerals (Development & Regulations) Act in Crime No.260 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that On 07.06.2025, the respondent police and other officials have conducted a surprise check, at that time the respondent police found that the petitioner and other accused persons were illegally transported 100 bags of Vandal Sand. 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 offence as alleged by the prosecution. He would further submit that the petitioner is in custody from 07.06.2025 nearly 19 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner and other accused were illegally transported 100 bags of Vandal Sand without having any valid license or permit. The alleged vehicle used for transportation of Vandal sand and the Vandal Sand were recovered by the respondent police. The petitioner is having three previous cases, all the cases are similar in nature. Hence, he 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 the properties were recovered, FIR was registered on



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07.06.2025, by this time, most of the investigation might have been completed, the
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petitioner/accused No.1 remanded into judicial custody on 07.06.2025, 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.10,000/- (Rupees Ten thousand only) with two sureties, each
for a like sum to the satisfaction of Judicial Magistrate No.2, Sivakasi, Virudhunagar
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.7,000/- (Rupees
Seven 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 mobile number to
the Judicial Magistrate No.2, Sivakasi, Virudhunagar District. If the petitioner
changes his residential address, he shall report the same to the Judicial Magistrate



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No.2, Sivakasi, Virudhunagar 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 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/-
26/06/2025

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



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TO WEB COPY

- 1 THE JUDICIAL MAGISTRATE NO.2,
SIVAKASI,
VIRUDHUNAGAR DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT.
- 3 THE SUPERINTENDENT,
DISTRICT JAIL,
VIRUDHUNAGAR DISTRICT.
- 4 THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 5 THE CHAIRMAN / DISTRICT COLLECTOR,
THE DISTRICT MINEAL FOUNDATION TRUST,
VIRUDHUNAGAR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to BALAJI. S Advocate SR.No.6799 (I) DT.26/06/2025

ORDER
IN

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Date :26/06/2025

NM/26.06.2025 5P/7C

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