



CRL OP(MD).No.10737 of 2025

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

Date : 27/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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1. Varadharajan, Aged 39 years,
S/o.Kaliyaperumal
2. Muruganantham, Aged 52 years,
S/o.Kaliyaperumal,
3. Chithiravel, Aged 48 years,
S/o.Kaliyaperumal

..Petitioner/ Accused Nos.6,7 & 9

Vs

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

.. Respondent/Complainant

**For Petitioners : Mr.R.Maheswaran
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.



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ORDER: This Court made the following order :-

The petitioners / Accused Nos.6, 7 & 9, who were arrested and remanded to judicial custody on 12.06.2025 for the offences punishable under Sections 303(2) and 326(a) of BNS and Section 3(2) of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, in Crime No.373 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the defacto complainant is the Sub Inspector of Police, he received a secret information that some miscreants have transported sand. Upon the information on 12.06.2025, he along with deputed officials went to Vettaaru river, at that time, they found that the petitioners said to have illegally transported the river sand without having any permission and valid license. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He would further submit that the 1st petitioner has stored 6 units of sand, 2nd petitioner has stored 6 units of sand and 3rd petitioner has stored 12 units



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of sand and totally 197 units of sand was stored by the villagers. He would further submit that the petitioners are ready and willing to abide and conditions that may be imposed by this Court. He further submits that the petitioners undertakes to deposit amount that may be imposed by this Court. He would further submit that the petitioners are in custody from 12.06.2025. Hence, he seek bail.

4. The learned Government Advocate (Criminal Side) would submit that there are totally 17 accused persons involved in this case. He further submitted that the 1st petitioner illegally stored 7 units of sand , 2nd petitioner has illegally stored 21 units of sand and 3rd petitioner has illegally stored 25 units of sand. He would further submit that co-accused had already been released on bail. He would further submit that the property has been recovered and there is no previous case pending against the petitioners. 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 property has been recovered and the investigation has been completed. Further, considering the period of incarceration suffered by the petitioners, this court is inclined to grant bail to the petitioners, subject to the following conditions:



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6. Accordingly, the petitioners are ordered to be released on bail on executing a separate 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 learned Judicial Magistrate Court-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 1st petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of the District Mineral Foundation Trust, Thanjavur District as Non-refundable deposit and he 2nd petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of the District Mineral Foundation Trust, Thanjavur District as Non-refundable deposit and the 3rd petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of the District Mineral Foundation Trust, Thanjavur District as Non-refundable deposit and on such deposits being made,



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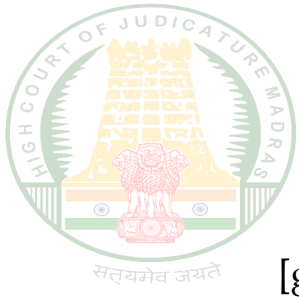
the learned Judicial Magistrate Court-II, Thanjavur, shall accept the sureties furnished by the petitioners;

[c] The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate Court-II, Thanjavur. If the petitioners changes their residential address, they shall report the same to the learned Judicial Magistrate Court-II, Thanjavur;

[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.



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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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
27/06/2025

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

MSRM



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TO
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1. THE JUDICIAL MAGISTRATE COURT-II, THANJAVUR.
2. THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE OFFICER INCHARGE
THE DISTRICT MINERAL FOUNDATION TRUST,
THANJAVUR DISTRICT.
4. THE OFFICER INCHARGE
SUB JAIL, THANJAVUR.
5. THE THE INSPECTOR OF POLICE,
THANJAVUR TALUK POLICE STATION,
THANJAVUR.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.10737 of 2025
Date :27/06/2025

PR/27.06 .2025 7P/7C

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