



CRL OP(MD). No.10728 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.10728 of 2025

Sadhasivam,
S/o.Kandhasamy,

..Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep.by The Inspector of Police,
Velliyanai Police Station,
Karur District.
(Crime No.146 of 2025) .. Respondent/ Complainant

For Petitioner : M/s.S.Poornachandran
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.146 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 custody on 30.05.2025 for the offences punishable under Sections 303(2) of the BNS



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and Section 21(1) of the Mines and Minerals (Development and Regulation) Act in
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Crime No.146 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that On 30.05.2025, the respondent police and other officials have conducted a surprise check, at that time they found that on the backside of one Subramani Petorl bunk 35 units of river sand was dumped, on enquiry, they came to know that the petitioner and one Suriya were having lorries and involving in the illegal sand mining. 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 30.05.2025 nearly 23 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner and other accused were illegally excavated river sand and stored the same and involving illegal sand mining. The alleged lorries used for transportation of river sand and the river sand were recovered by the respondent police. Already, the second accused has been arrested and he is still in judicial custody. The petitioner is having one previous case, which is 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



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taking note of the fact that the lorries and river sand were recovered by the respondent police, FIR was registered on 30.05.2025, by this time, most of the investigation might have been completed, the petitioner/accused No.1 remanded into judicial custody on 30.05.2025, 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, Karur 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.10,000/- (Rupees Ten 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



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the Judicial Magistrate No.II, Karur. If the petitioner changes his residential address,
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he shall report the same to the Judicial Magistrate No.II, Karur;

[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

- 1 THE JUDICIAL MAGISTRATE NO.II,
KARUR
- 2 THE CHIEF JUDICIAL MAGISTRATE,
KARUR.
- 3 THE OFFICER INCHARGE,
SUB JAIL, KARUR
- 4 THE INSPECTOR OF POLICE,
VELLIYANAI POLICE STATION,
KARUR DISTRICT.
- 5 THE CHAIRMAN / DISTRICT COLLECTOR,
DISTRICT MINERAL FOUNDATION TURST,
KARUR DISTRICT.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

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