



CRL OP(MD).No.10822 of 2025

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

Date : 27/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Selvakumar, M/48,
S/o.Chithiraivel

..Petitioner/ Accused No.1

Vs

State of Tamil Nadu Rep by
The Inspector of Police,
Kallaperambur Police Station,
Thanjavur District.
(Crime No.109 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.S.Sathyachidambaram
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.109 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 08.06.2025 for the offences punishable under Sections 303(2) and 326(b)



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of BNS 2023 and Section 21(1) of Mines and Minerals (Development and Regulation)

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Act, 1957, in Crime No.109 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused persons had illegally transported 1 unit of river sand by using TATA 207, without any valid permission. Hence, the complaint.

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. He would further submit that the petitioner is ready and willing to abide and conditions that may be imposed by this Court. He further submits that the petitioner undertakes to deposit amount that may be imposed by this Court. He would further submit that the petitioner is in custody from 08.06.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the property has been recovered. He would further submit that there are seven previous cases pending against the petitioner and he is a history sheeter in H.S.No.166 of 2011. Hence, he objected to grant bail to the petitioner.



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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:

6. Accordingly, the petitioner is ordered to be released on bail on executing 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 No.2, Thanjavur, Thanjavur 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 deposit a sum of Rs.10,000/- (Rupees Ten 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.2, Thanjavur, Thanjavur District, shall accept the sureties furnished by the petitioner;



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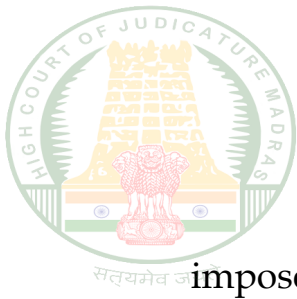
[c] The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.2, Thanjavur, Thanjavur District. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.2, Thanjavur, Thanjavur ;

[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.

[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



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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/-
27/06/2025

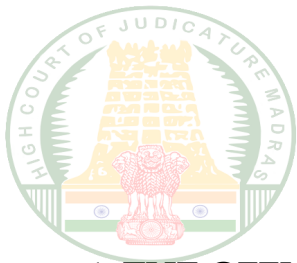
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27/06/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

MSRM

TO

1. THE JUDICIAL MAGISTRATE NO.2,
THANJAVUR, THANJAVUR DISTRICT
2. THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR.



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

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

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

ORDER
IN
CRL OP(MD) No.10822 of 2025
Date :27/06/2025

PR/27.06 .2025 6P/7C

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