



CRL OP(MD).No.10997 of 2025

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

Date : 30/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10997 of 2025

**Gurusamy (M/37/2025
S/o.Irulappan**

..Petitioner/ Accused No.1

Vs

**State of Tamil Nadu Rep by
The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
(Crime No.317 of 2025)**

.. Respondent/Complainant

**For Petitioner : Mr.S.Mandhiralingeswaran
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.317 of 2025 on the file of the Respondent Police.

ORDER :- This Court made the following order :-
<https://www.mhc.tn.gov.in/judis>



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The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 13.06.2025 for the offences punishable under Sections 303(2) of BNS Act and 21(4) of Mines and Minerals Development & Regulation Act 1957, in Crime No.317 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 13.06.2025 at about 12.00 hours Zonal Deputy Tahsildar, Padmanabhamangalam, Revenue officials were on the regular checkup, at that time, the petitioner along with other accused persons have illegally transported 3 unit of saral sand without any 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 a driver of the lorry. He would further submit that co-accused had already been granted anticipatory bail by this Court in Crl.O.P.(MD).No.10514 of 2025 dated 24.06.2025. He would further submit that the petitioner is in custody from 13.06.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that there



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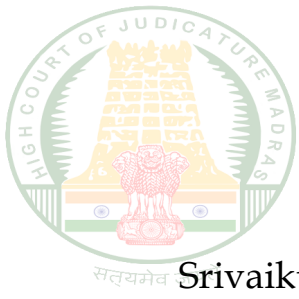
are totally three accused persons involved in this case and the petitioner is arrayed as A1. He would further submit that the investigation is almost completed. However, he objected to grant bail to the petitioner.

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 already been completed. Further, considering the period of incarceration suffered by the petitioner, 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 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.1, Srivaikundam, Thoothukudi 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.7,500/- (Rupees Seven Thousand and Five Hundred) to the credit of the District Mineral Foundation Trust, Thoothukudi District as Non-refundable deposit and on such deposit being made, the Judicial Magistrate No.1,



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Srivaikundam, Thoothukudi District, shall accept the sureties furnished by the petitioner;

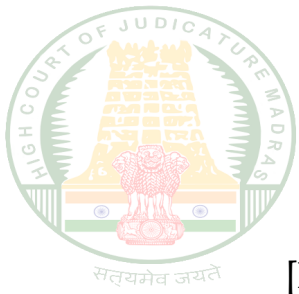
[c] The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.1, Srivaikundam, Thoothukudi District . If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate No.1, Srivaikundam, Thoothukudi District ;

[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].



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[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
30/06/2025

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30/06/2025

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

MSRM
TO

1. THE JUDICIAL MAGISTRATE NO.1,
SRIVAIKUNDAM, THOOTHUKUDI DISTRICT

2.DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE OFFICER INCHARGE, SUB JAIL,
SRIVAIKUNDAM, THOOTHUKUDI DISTRICT.

4. THE INSPECTOR OF POLICE,
SRIVAIKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.

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

COPY TO

THE OFFICER INCHARGE,
THE DISTRICT MINERAL FOUNDATION TRUST,
THOOTHUKUDI DISTRICT.



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+1 CC to M/s.S.MANDHIRALINGESWARAN, Advocate (SR-6898[I] dated
30/06/2025)

ORDER
IN

CRL OP(MD) No.10997 of 2025
Date :30/06/2025

HPS/30.06.2025 /6P/8C

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