



CRL OP(MD). No.11130 of 2025

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

Date : 02.07.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD). No.11130 of 2025

Panneerselvam,
S/o.Dharmaraj

...Petitioner/ Accused No.3

Vs

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

... Respondent/ Complainant

For Petitioner : Mr.K.M.Karunakaran,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate
(Criminal Side)

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.

PRAYER :- For Bail in Crime No.373 of 2025 on the file of the respondent police.



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ORDER: The Court made the following order :-

The petitioner / accused, who was arrested and remanded to judicial custody on 12.06.2025 for the offences punishable under Sections 303(2) and 326(a) of the Bharatiya Nyaya Sanhita, 2023, and Section 3(2) of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, in Crime No.373 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant, who is the Inspector of Police, lodged a complaint before the respondent police against 17 persons. In his complaint, he stated that on 12.06.2025, the respondent police conducted a raid at Nedar Aalangudi. During the inspection, the respondent police found that the first accused along with 16 others, had illegally stored a large quantity of river sand. Based on this, the petitioner and seven others were arrested by the respondent police, and a vehicle was also seized. 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 a false case has been foisted against the petitioner. He would further submit that A1 and A4 have been granted bail by this Court. He would further submit that the petitioner is in custody from 12.06.2025.



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Hence, he seeks bail.

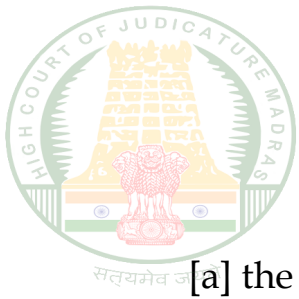
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4. The learned Government Advocate (Criminal Side) would submit that there are totally seventeen accused persons in this case and the petitioner has been arrayed as A3. He would further submit that the respondent police seized a total of 447 units of river sand, out of which 44 units were seized from the petitioner alone. He would also submit that the the entire properties have been seized. However, he opposes the grant of bail to the petitioner.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the nature of the offence allegedly committed by the petitioner and also taking into consideration the period of incarceration and also taking note the fact that the entire properties have already been recovered, this court is inclined to grant bail to the petitioner, however, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his 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 learned Judicial Magistrate No.II, Thanjavur, and on further conditions that:-



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[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 furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Thanjavur. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.II, Thanjavur.

[c] the petitioner shall make a non-refundable deposit of Rs.44,000/- (Rupees Forty Four Thousand only) to the credit of Chairman / District Collector, District Mineral Foundation Trust of the concerned District and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner.

[d] the petitioner shall appear and sign before the respondent police daily at 10.00 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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court
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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 of BNS, 2023.

8. In the result, this Criminal Original Petition is allowed subject to the
conditions stated supra.

sd/-
02/07/2025

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02/07/2025
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,
THANJAVUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.

3. The Officer-in-Charge,
Sub-Jail,
Thanjavur.

4. The Inspector of Police,
Thanjavur Taluk Police Station, Thanjavur District.

<https://www.mhc.tn.gov.in/judis>



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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO:

The Chairman / District Collector,
District Mineral Foundation Trust, Thanjavur District.

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-7026[I] dated 02/07/2025)

ORDER

IN

CRL OP(MD) No.11130 of 2025

Date :02/07/2025

MK/02.07.2025 6P/8C

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