



CRL OP(MD).No.11134 of 2025

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

Date : 02.07.2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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1. Raghavan,M/20
S/o.Rajadurai,

2. Rajmohan, M/40,
S/o.Selvaraj

..Petitioners/ Accused Nos.3 & 4.

Vs

State of Tamil Nadu
Rep by the Inspector of Police,
Thiruvaidaimaruthur Police Station,
Thanjavur District.
(Crime No.282 of 2025)

.. Respondent/Complainant

For Petitioners : Mr.K.M.Karunakaran
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.282 of 2025 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

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The petitioners / Accused Nos.3 & 4, who were arrested and remanded to judicial custody on 22.06.2025 for the offences punishable under Sections 303(2) of BNS, 2023 r/w 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.282 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 21.06.2025, on receipt of secret information, the defacto complainant and other officials were conducted the raid at Veppathur Near Manthirakudam Residency and they were found that the petitioners along with other accused persons were illegally stored 20 units of river sand at their own land. 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 names of the petitioners were not found in the FIR. He would further submit that the petitioners are ready and willing to abide any conditions that may be imposed by this Court. He further submits that



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the petitioners undertakes to deposit amount that may be imposed by this Court. He would further submit that the petitioners are in custody from 22.06.2025. Hence, he seek bail.

4. The learned Government Advocate (Criminal Side) would submit that there is one previous case pending against A3 and 2 previous cases pending against A4. 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 been almost 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 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, Thiruvidadaimaruthur, 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] each of the petitioners 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 on such deposits being made, the learned Judicial Magistrate, Thiruvudaimaruthur, shall accept the sureties furnished by the petitioners;

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



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[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.

[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



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under Section 269 BNS.

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

MSRM
TO

1. THE JUDICIAL MAGISTRATE, THIRUVIDAIMARUTHUR.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
3. THE OFFICER IN-CHARGE, SUB JAIL,
KUMBAKONAM.
4. THE INSPECTOR OF POLICE,
THIRUVIDAIMARUTHUR POLICE STATION,
THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-7025[I] dated 02/07/2025)



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ORDER

IN

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Date :02/07/2025

HPS/02.07.2025 /7P/8C

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