



CRL OP(MD).No.11195 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.07.2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.11195 of 2025

Davidraj, (M/45/25)
S/o.Aruldoss

..Petitioner/ Accused No.12

Vs

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.D.Rajaboopathy
Advocate.

For Respondent : Mr.M.Karunanithi
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.373 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused No.12, who was arrested and remanded to judicial custody on 12.06.2025 for the offences punishable under Sections 326(a), 303(2) of



CRL OP(MD).No.11195 of 2025

BNS and Section 3(2) of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, in Crime No.373 of 2025 on the file of the respondent police, seeks bail.

WEB COPY

2. The case of the prosecution is that based on secret information regarding the illegal storage of river sand, the respondent police proceeded to the spot and found that the petitioner had stored 5 units of river sand on his land. 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 by any 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 12.06.2025. Hence, he seek bail.

4. The learned Government Advocate (Criminal Side) would submit that there are totally 17 accused persons involved in this case. He further submitted that the petitioner has illegally stored 5 units of sand . He would further submit that co-accused had already been granted bail by this Court in CrI.O.P.(MD).No.10473 of 2025 dated 24.06.2025 He would further submit that the property has been recovered and there is no previous case pending against the petitioner. Hence, he



CRL OP(MD).No.11195 of 2025

objected to grant bail to the petitioner.

WEB COPY

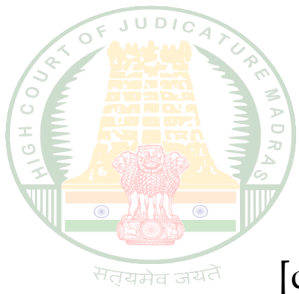
5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the property has been recovered and the investigation has been completed. Further, considering the period of incarceration suffered by the petitioner, this court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing 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 Court-II, Thanjavur 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.30,000/- (Rupees Thirty 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 Court-II, Thanjavur, shall accept the sureties furnished by the petitioner;

[c] The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate Court-II, Thanjavur. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate Court-II, Thanjavur;



CRL OP(MD).No.11195 of 2025

[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/-
03/07/2025

/ TRUE COPY /

/07/2025
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.II,
THANJAVUR.



CRL OP(MD).No.11195 of 2025

2 THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, THANJAVUR.

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

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

COPY TO:

The Officer incharge,
District Mineral Foundation Trust,
Thanjavur District

ORDER
IN

CRL OP(MD) No.11195 of 2025
Date :03/07/2025

MK/03.07.2025 5P/7C

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