



CRL OP(MD).No.11331 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.11331 of 2025

Davidraj,
S/o.Aruldoss,

..Petitioner/ Accused No.12

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
(Crime No.373 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.G.Hariharan
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.373 of 2025 on the file of the Respondent Police.



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ORDER : This 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 BNS r/w. Section 3(2) of TN Public Property (Prevention of Damages 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 based on the secrete information, on 12.06.2025, at about 06.00a.m. the respondent police made surprise check and found that this petitioner had stored five units of river sand illegally. 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 offences as alleged by the prosecution. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 12.06.2025 nearly 18 days. Hence, he seeks bail.



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4. The learned Government Advocate (Criminal Side) would submit that this petitioner illegally stored five units of river sand in his property. After the detailed enquiry conducted by the revenue officials it was revealed that 22 units of river sand were illegally stored. In this case, entire property were seized by the respondent police. Already, the Accused Nos.1 & 4 enlarged on bail by this Court by an order dated 25.06.2025 & 24.06.2025 in CrI.OP(MD).No.10556 & 10473 of 2025 respectively. There is no previous case against this petitioner. 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 in this case, the entire property were recovered by the respondent police, there is no previous case against this petitioner, already the co-accused were enlarged on bail, the petitioner/accused No.12 remanded into judicial custody on 12.06.2025, taking into consideration of the period of incarceration, 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 a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two



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sureties, each for a like sum to the satisfaction of learned Judicial Magistrate No.II,
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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 make a non-refundable deposit of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of the Chairman/District Collector, District Mineral Foundation Trust of the concerned District, without prejudice to their defence before the trial Court and produce the acknowledgment at the time of executing bond;

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

[d] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m., until further orders.



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[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/-
07/07/2025

/ TRUE COPY /

07/07/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn
TO
1. The Judicial Magistrate No.II,
Thanjavur, Thanjavur District.



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2. Do Through The Chief Judicial Magistrate,
Thanjavur District @ Kumbakonam.

3. The Officer In-charge, Sub-Jail,
Thanjavur.

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

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

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

ORDER
IN
CRL OP(MD) No.11331 of 2025
Date :07/07/2025

HPS/07.07.2025 /6P/7C

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