



CRL OP(MD). No.17675 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 14.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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1.Sankar

2.Prabakaran

... Petitioners/ Accused Nos.2&4

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Pandanallur Police Station,
Thanjavur District.
(Crime No.394 of 2025)

... Respondent/Complainant

For Petitioners : Mr.R.Vignesh

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.394 of 2025 on the file of the
respondent police.



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ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 04.10.2025 for the offences punishable under Sections 303(2) of BNS r/w. Section 21(1) of Mines and Minerals (Development and Regulation Act) 1957, in Crime No.394 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners were was found in illegal possession of half unit of river sand. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are in judicial custody from 04.10.2025. Hence, he seeks bail to the petitioners.



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4. The learned Additional Public Prosecutor submitted that the petitioners were found in illegal possession of half unit of river sand. He further submitted that there is one previous cases pending against A2 and no previous case is pending against the A1. Therefore, he opposed for grant of bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioners, and though there is one previous case is pending against the A2, that is only IPC offence, 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 bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Thiruvidaimarudhur, Thanjavur District, and on further conditions that :-

[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card



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or bank pass book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

[c] the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] 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 is 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].

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

14.10.2025

PJL



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1. The District Munsif cum Judicial Magistrate,
Thiruvidaimarudhur,
Thanjavur District.
2. The Superintendent,
Sub Jail,
Thiruvidaimarudhur,
Thanjavur District.
3. The Inspector of Police,
Thiruvidaimarudhur Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

PJL

ORDER
IN
CRL OP(MD) No.17675 of 2025

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