



CRL OP(MD). No.18034 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

(Criminal Jurisdiction)

Date : 16.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.18034 of 2025

Rajiv

... Petitioner/Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Nachiyarkoil Police Station,
Thanjavur District.
(Crime No.440 of 2025)

... Respondent/Complainant

For Petitioner : Mr.A.Joel Paul Antony
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Cr.No.440 of 2025 on the file of the respondent police.



CRL OP(MD). No.18034 of 2025

ORDER : The Court made the following order :-

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 29.09.2025 for the offences punishable under Sections 303(2) of BNS and 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.440 of 2025 on the file of the respondent police. seeks bail.

2. The case of the prosecution is that the petitioner along with other accused persons have transported 1 unit of river sand illegally by using tractor, without any permission. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 29.09.2025. Hence, he seeks bail to the petitioner.



CRL OP(MD). No.18034 of 2025

4. The learned Additional Public Prosecutor submitted that there is one previous case pending against the petitioner. Hence, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate Court, No.2, Kumbakonam, 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 report before the respondent police daily at 10.30 a.m.,until further



CRL OP(MD). No.18034 of 2025

orders.

WEB COPY

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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 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.

(S S Y J)
16.10.2025

msrm



CRL OP(MD). No.18034 of 2025

To
WEB COPY

1. The Judicial Magistrate Court No.2,
Kumbakonam, Thanjavur District.
2. The Superintendent, Sub Jail,
Kumbakonam.
3. The Inspector of Police,
Nachiyarkoil Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.18034 of 2025

S.SRIMATHY,J.

msrm

ORDER
IN
CRL OP(MD) No.18034 of 2025

Date : 16.10.2025