



WEB COPY



Crl.OP.No.1198 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. No.1198 of 2025

1. Thangamani
2. Sakthi

... Petitioners

Vs.

State rep. by its The Inspector of Police,
Thoppur Police Station, Dharmapuri District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS for granting anticipatory bail to the petitioners.

For petitioners : Mr.J.Pradeep

For Respondent : Mr.S.Santhosh
Government Advocate [Criminal Side]

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Section 303[2] of BNS 2023 read with section 21[1] of Mines and Minerals [Development and Regulation] Act



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1957 in Crime No.317 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioners were found illegally transporting 6 units of gravel sand in a tipper lorry. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that petitioners are not involved in any previous case.

5. Considering the submissions of both sides and also of the fact that there is no previous case against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate No.II, Dharmapuri** on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police everyday at 10.30 a.m. until further Orders.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial;

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

[d] 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 v. State of Kerala [(2005) AIR SCW 5560].



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WEB COP [e] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the B.N.S.

17.01.2025

vrc

To,

1. The Judicial Magistrate No.II,
Dharmapuri.
2. The Inspector of Police,
Thoppur Police Station, Dharmapuri District.
3. The Public Prosecutor,
High Court of Madras.



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G.R.SWAMINATHAN, J.

VTC

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