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Crl.OP.No.1279 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.1279 of 2025

Changam Prabakar Nair

... Petitioner

Vs.

State rep. by its The Inspector of Police,
Kinathukadavu Police Station, Coimbatore District.

... Respondent

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

For Petitioner : Mr.Sasikumar R

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 303[2] of BNS read with Section 21[1] of Mines and Minerals [Development & Regulation] Act,



1957 in Crime No.335 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally transported 3 units of gravel. Hence, the case.

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

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

5. Considering the submissions of both sides and considering the fact that the petitioner is not involved in any previous case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his 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.I, Pollachi** on condition that the petitioner shall execute 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 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 petitioner shall report before the respondent police everyday at 10.30 a.m. until further Orders.

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

[c] the petitioner 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 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 v. State of Kerala [(2005) AIR SCW 5560].



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[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.I,
Pollachi.
2. The Inspector of Police,
Kinathukadavu Police Station, Coimbatore District.
3. The Public Prosecutor,
High Court of Madras.



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G.R.SWAMINATHAN, J.

VTC

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