



Crl.OP.No.2472 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.2472 of 2025

R.Eeswaramoorthi @Moorthi

... Petitioner /Accused

Vs.

The State rep. by Inspector of Police,
Vennandur Police Station,
Namkkal District.
(Crime No.21 of 2025)

... Respondent/ Complainant

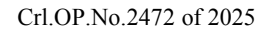
Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to grant anticipatory bail to the petitioner in the event of arrest in Crime No.21 of 2025 by the respondent Police.

For petitioner : Mr.N.Chinnaraj

For Respondent : Mr.S.Balaji,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of the BNS, 2023 in Crime No.21 of 2025, on the file of the respondent police, seeks



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioner, submitted that the accused was found to be allegedly involved in illegal possession of one unit of river sand in a Tipper Lorry. He would



further submit that no previous case of a similar nature is pending against the petitioner.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioners, without prejudice to his defense and contention, are ready and willing to deposit an amount of Rs.5,000/- as non-refundable deposit to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of anticipatory bail to the petitioners.

6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

7. Considering the voluntary submission made by the learned counsel for the petitioners, the petitioner is directed to to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) as non refundable deposit to “District Legal Services Authority, Namakkal”, without prejudice to the right of defence before the Trial Court and making it clear that it would not



amount to admission of guilt.

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8. Considering the nature of allegation; there is no case pending against the petitioners; the petitioner is willing to deposit an amount of Rs.5,000/- as non-refundable deposit to any welfare scheme; and that custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

9. Accordingly, the petitioner is directed to make a non-refundable deposit of Rs.5,000/- directly to the credit of “District Legal Services Authority, Namakkal”, without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of copy of this order, before the learned Judicial Magistrate, Rasipuram, on condition that the petitioner shall execute a bond for 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 said Magistrate, on further condition 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, everyday at 10.30 a.m., until further orders;
- [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



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CrI.OP.No.2472 of 2025

learned Magistrate/Trial Court himself as laid down
by the Hon'ble Supreme Court in ***P.K.Shaji vs. State
of Kerala*** reported in [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be
registered under Section 269 of B.N.S.

03.02.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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CrI.OP.No.2472 of 2025

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- To
1. Inspector of Police,
Vennandur Police Station,
Namkkal District.
 2. The Public Prosecutor,
Madras High Court,
Chennai.
 3. Learned Judicial Magistrate,
Rasipuram.
 4. District Legal Services Authority,
Namakkal.



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Crl.OP.No.2472 of 2025

SUNDER MOHAN, J.

skr

Crl.OP.No.2472 of 2025



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CrI.OP.No.2472 of 2025

03.02.2025