



WEB COPY



CRL O.P. No.2706 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.2706 of 2025

1. R. Jayabalan S/o. Rangasamy Kavuder
2. C. Nagaraj S/o. Chinnarangasamy ... Petitioners / Accused

Vs

State rep. by:-

The Inspector Of Police,
Madathukulam Police Station,
Tiruppur. ... Respondent
[Cr. No.20 of 2025]

PRAYER:- The Criminal Original Petition is filed under Section 482 of
B.N.S.S., praying to grant anticipatory bail to the petitioners / Accused
in Crime No.20 of 2025 on the file of the respondent police.

For Petitioners : Mr. A. Arun

For Respondent : Mr. S. Balaji,
Government Advocate
[Criminal side]

ORDER



CRL O.P. No.2706 of 2025

WEB COPY

The petitioners / Accused, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 303(2) of B.N.S. read with Section 21(1) of Mines and Minerals Act in connection with the case in Crime No.20 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the accused were found to be in possession of 8 units of normal stone in two lorries bearing Registration Nos.TN99-AC-6213 and TN99-AC-2545.

3. Learned counsel for the petitioners would contend that the material objects were seized by the respondent police; that they are not named accused in the FIR; that the custodial interrogation is not required in this case; that they are the owners of the vehicles and hence prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side), per contra, would submit that the respondent police seized the materials and the vehicle.



CRL O.P. No.2706 of 2025

WEB COPY

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

6. Considering the nature of allegations, the material objects were seized by the respondent police and since the custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **District Munsif-cum-Judicial Magistrate, Madathukulam** on condition that each petitioner shall execute a separate 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



CRL O.P. No.2706 of 2025

WEB COPY

who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

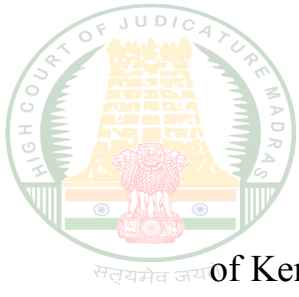
[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

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

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

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

[f] 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 vs. State



CRL O.P. No.2706 of 2025

of Kerala [(2005)AIR SCW 5560].
WEB COPY

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

04.02.2025

mjs

To

- 1.The District Munsif-cum-Judicial Magistrate, Madathukulam
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector Of Police, Madathukulam Police Station, Tiruppur.

SUNDER MOHAN. J.,

mjs



WEB COPY



CRL O.P. No.2706 of 2025

CRL O.P. No.2706 of 2025

04.02.2025