



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07-02-2025**

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CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3039 of 2025

VENKATESAN

S/o. Jayapalan, No.29/8, Vedachalam Nagar,
1st Street, Sevilimedu, Big Kanchipuram,
Kanchipuram, Kanchipuram District.

Petitioner(s)

Vs

State by its INSPECTOR OF POLICE,
Kanchi Taluk Police Station, Kanchipuram,
Kanchipuram District. (Crime.No. 28/ 2025)

Respondent(s)

For Petitioner(s):

K G Senthil Kumar
S.Vinodkumar
M.Sureshsankar

For Respondent(s):

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 Sections 303(2) of Bharatiya Nyaya Sanhita, 2023 r/w. Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.28 of 2025 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that the petitioner illegally transported six units of gravel sand in a vehicle, without a valid license.

Hence, the case.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4.The learned Government Advocate (Crl. Side) would submit that the petitioner illegally transported six units of gravel sand in a vehicle, without a valid license. He further submits that the petitioner is the owner of the quarry. The petitioner has no previous case pending as against him.

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

6.Taking into consideration the facts and circumstances of the case and that custodial interrogation of the petitioner is not required for the



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investigation, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, 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 a copy of this order, before the learned **Judicial Magistrate No.II, Kanchipuram**, 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 said Magistrate, on further condition that:

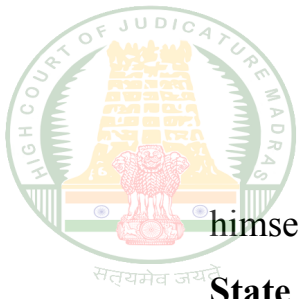
[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

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

[d] the petitioner shall not abscond 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]**;

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

07.02.2025

rpl

To

1.The Inspector Of Police
Kanchi Taluk Police Station, Kanchipuram,
Kanchipuram District.

2.The Public Prosecutor, High Court of Madras,
Chennai



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SUNDER MOHAN,J.

rpl

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