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CRL O.P. No.3525 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.3525 of 2025

Settu S/o. Chinnapayyan

... Petitioner / Accused

Vs

State rep. by:-

The Inspector Of Police,
Banavaram Police Station,
Ranipet District.

... Respondent

[Cr. No.43 of 2025]

PRAYER: - The Criminal Original Petition is filed under Section 482 of

B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in

Crime No.43 of 2025 on the file of the respondent police.

For Petitioner : Mr. G.P. Sivakumar

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

ORDER

The petitioner / Accused, who apprehends arrest in the hands of
the respondent police for the offences punishable under Section 303(2) of

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CRL O.P. No.3525 of 2025

B.N.S. and Section 21(1) of Mines and Minerals (Development and Regulation) Act in connection with the case in Crime No.43 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on 06.02.2025, the petitioner had illegally transported 7 numbers of White Pillar Bar stones in a Mahindra Bolero vehicle bearing Registration No.TN85 % 1676.

3. Learned counsel for the petitioner would contend that the materials were seized; that the petitioner is an innocent and he has not committed any offence; that he has no previous cases; that he is owner and driver of the vehicle; and that the custodial interrogation is not required in this case and hence prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), per contra, would submit that the respondent police seized the materials and admitted that no previous case is pending against the petitioner.



CRL O.P. No.3525 of 2025

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

6. Considering the nature of allegations, there is no previous case pending against the petitioner, the materials were seized by the respondent police and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. 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, Sholinghur** 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



CRL O.P. No.3525 of 2025

the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

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

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

[e] the petitioner 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 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].

[g] If the accused thereafter abscond, a fresh FIR can be registered



CRL O.P. No.3525 of 2025

under Section 269 B.N.S.

WEB COPY

13.02.2025

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To

1. The Judicial Magistrate, Sholinghur
2. The Public Prosecutor, High Court, Madras.
3. The Inspector Of Police, Banavaram Police Station, Ranipet District.

SUNDER MOHAN. J.,

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CRL O.P. No.3525 of 2025

CRL O.P. No.3525 of 2025

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