



CRL OP NO. 4036 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 17-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 4036 of 2025

SURESH

S/o.Govindappa, Anjaneyar Kovil,
Samaguttapalli Village,
Kuppam Taluk, Chittoor District, Andra Pradesh.

... Petitioner

Vs.

The State Rep.By, The Inspector Of Police,
Natrampalli Police Station, Tirupathur District.
Cr.No.24 Of 2025.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.24 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.K.Arunagiri
For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 31.01.2025, seeking bail in Crime No. 24 of 2025 registered for the offences under Section 303(2) of BNS



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(379 of IPC) r/w Section 21(1) of the Mines and Minerals (Development and Regulation) Act 1957.

2. The case of the prosecution is that the petitioner was found illegally transporting fencing stones in tractor. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, he is only the Driver of the tractor, he in custody from 31.01.2025 and in any case, further custody of the petitioner is not required for investigation, the petitioner may be released on bail.

4. The learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that there is no previous cases against the petitioner.

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



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6. Considering, the fact that the properties have been seized from the petitioner; period of incarceration; there is no previous case and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate III at Tirupattur.**

[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;

SUNDER MOHAN., J.



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[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]***;

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

17.02.2025

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To

1. The Judicial Magistrate Court, Thirupathur.
2. The Inspector Of Police,
Natrampalli Police Station, Tirupathur District
3. The Superintendent,
Sub Jail, Tirupathur
4. The Public Prosecutor,
High Court of Madras.

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