



Crl.O.P.No.5825 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.5825 of 2025

Sathiyamoorthy S/o. Sundaramoorthy

... Petitioner/Accused

Vs.

The State represented by-

The Inspector of Police,
Thiruvannainallur Police Station,
Villupuram District.
(Crime No.968 of 2024).

... Respondent

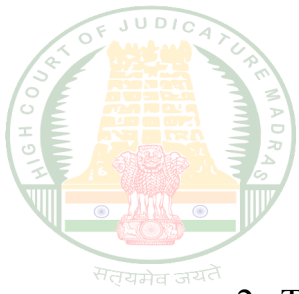
PRAYER: The Criminal Original Petition is filed under Section 482 of B.N.S.S., praying to grant anticipatory bail to the petitioner, in connection with the Crime No.968 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr. A. Arasu Sanga Tamil

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

ORDER

The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences under Sections 303(2) and 326(a) of B.N.S. in connection with the case in Crime No.968 of 2024, seeks anticipatory bail.



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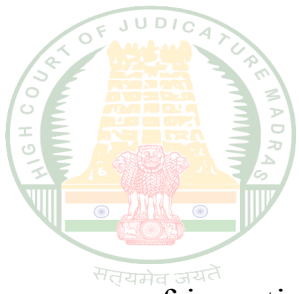
2. The case of the prosecution is that on 10.12.2024, the petitioner had illegally transported 1/4 unit of river sand in Ashok Leyland Dost vehicle bearing Registration No.TN55-AF-1503.

3. Learned counsel for the petitioner would contend that the petitioner is innocent and that he has been falsely implicated in this case and hence prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), on instructions, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions, submitted that the petitioner has 3 previous cases of similar nature and he is on bail in those cases.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, without prejudice to his defense and contention, is 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 petitioner.

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, the fact that the contraband was seized, the petitioner is on bail in other similar cases and since, the custodial interrogation of the petitioner is not required for the purpose



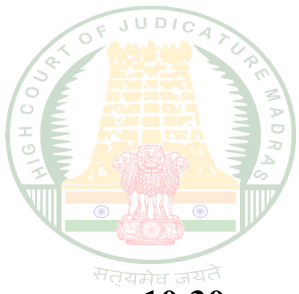
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of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on condition to make a non-refundable deposit of **Rs.5,000/- (Rupees Five Thousand only)** to the credit of "**District Legal Services Authority, Villupuram**", without prejudice to his rights and contentions before the trial Court and 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 a copy of this order, before the learned **District Munsif-cum-Judicial Magistrate, Thiruvannainallur** 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 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.

[b] **the petitioner shall report before the respondent police everyday at**



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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].

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

03.03.2025

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To

1. The District Munsif-cum-Judicial Magistrate, Thiruvannainallur.
2. The District Legal Services Authority, Villupuram District.
3. The Inspector of Police, Thiruvannainallur Police Station, Villupuram District.
4. The Public Prosecutor, High Court of Madras.

SUNDER MOHAN., J.



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