



WEB COPY



*Crl.O.P.No.4126 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **18-02-2025**

CORAM

**THE HONOURABLE MR JUSTICE SUNDER MOHAN**

**CRL OP NO.4126 of 2025**

Pattan Manjur Basha,  
S/o. Masthan Sahib,  
No.3-8-31, West Street,  
Sydapuram, Nellore District, Andhra Pradesh – 524407.

Petitioner(s)

Vs

State Rep.by  
The Inspector of Police,  
Pennalurpet Police Station,  
Thiruvallur District. (Crime No.36 of 2025)

Respondent(s)

**For Petitioner(s):** Mr. C. Arivalagan

**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 the Bharatiya Nyaya Sanhita, (BNS), 2023, r/w Section 21(1) of Tamil Nadu Mines and Minerals (Development and Regulation) Act, in Crime No.36 of 2025, on the file of the respondent police, seeks anticipatory bail.



WEB COPY

2. The case of the prosecution is that the petitioner, along with another individual, was found to be involved in the illegal transportation of 6 units of Savudu sand in a Lorry bearing Registration No.AP-39-UJ-9363 without valid license. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that petitioner is innocent and he has been falsely implicated in this case. He also submitted that the petitioner had never committed any offence as alleged by the prosecution. He would further submit that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting of anticipatory bail to the petitioner stating that the quantity of savudu sand involved in this case is 6 units and transported the same without a valid license or permit. Further, he also submitted that the petitioner has no previous cases pending against him, and the investigation is ongoing.



WEB COPY

Crl.O.P.No.4126 of 2023



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

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsels on either side, and also considering the fact that the petitioner has no previous cases and since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with 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 on which the order copy made ready, before **the learned District Munsif Cum Judicial Magistrate, Uthukkottai**, on condition that the 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 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



WEB COPY

Crl.O.P.No.4126 of 2023



condition 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 on every Monday and Thursday at 10:30 A.M., until further orders;**

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

[d] the petitioner shall not abscond either during the investigation or during the 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 was 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];



WEB COPY



*Crl.O.P.No.4126 of 2025*

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

**18-02-2025**

klt

To

1.State Rep.by  
The Inspector of Police,  
Pennalurpet Police Station,  
Thiruvallur District. (Crime No.36 of 2025)



WEB COPY



*Crl.O.P.No.4126 of 2025*

**SUNDER MOHAN, J.**

klt

**Crl.O.P. No.4126 of 2025**

**18-02-2025**