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CRL OP NO. 4256 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 4256 of 2025

Pichandi
S/o. Ponnai, No.39, Ambethkar Nagar,
Rasheedabad, Ongupam Road Pernampet
Taluk, Vellore District

Petitioner(s)

Vs

State rep by the Inspector of Police
Pernampet Police Station, Pernampet, Vellore
District. (Crime No. 33 of 2025)

Respondent(s)

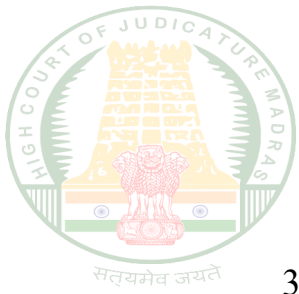
For petitioner(s): Mr.Vinodh Kumar

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) and 326(a) of BNS in Crime No. 33 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had transported ¼ unit of river sand in a bullock cart illegally. Hence, the complaint.



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3. The learned counsel for the petitioner submitted that the petitioner is innocent; that he has been falsely implicated in this case; and that in any case custodial interrogation of the petitioner is not required for the purpose of investigation and hence, he prayed for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instruction submitted that there is one previous case as against the petitioner.

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

6. Considering the submissions made on either side; nature of allegation; that the contraband was seized; that the petitioner was released on bail in an previous case and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:



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(a) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Gudiyatham** 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the respondent police every day 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]**;

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

19.02.2025

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SUNDER MOHAN, J.

vca

To
1. State rep by the Inspector of Police
Pernampet Police Station,
Pernampet, Vellore District.
(Crime No. 33 of 2025)

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