

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 6165 of 2025

1.Samuvel

S/o. Gunasekaran, Periyar 3rd Street,
Sanrorkuppam, Ambur, Tirupattur
(District)

2.Alex @ Alexpandiyan

3.Senthil

Petitioners

Vs

The Inspector of Police,
Ambur Town Police Station, Ambur,
Tirupattur (District), In Crime
No.43/2025

Respondent(s)

CRL OP No. 6165 of 2025

PRAYER

To enlarge the petitioner on Anticipatory Bail in the event of the arrest by the Respondent Police in Crime No. 43 of 2025 dated on 19.02.2025 on the file of the Inspector of Police, Ambur Town Police Station, Tirupattur District.

CRL OP No. 6165 of 2025

For Petitioner(s): M/S. Pachaiyappan S

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

ORDER

The petitioners / A2, A3 & A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2), 326(a) of BNS, (under Section 379, 430 of IPC) in Crime No.43 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the petitioners were found to be illegally transported $\frac{1}{4}$ units of river sand in bullock cart from palar river.

3. Learned counsel appearing for the petitioners would submit that the petitioners are an innocent person and they have been falsely implicated in this case and that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court, and prayed for anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that A2 has 7 previous cases, A3 has 8 previous cases and A4 has no previous case.

5. 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 petitioners is on bail in the other cases and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate at Ambur, Tirupattur District**, on condition that the petitioners 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 condition that:

[a]the petitioners 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 petitioners shall report before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 B.N.S.

05-03-2025

AT

SUNDER MOHAN J.

AT

CRL OP No. 6165 of 2025

To

1.The Inspector of Police,
Ambur Town Police Station, Ambur,
Tirupattur (District), In Crime
No.43/2025

Crl. O.P. No.6165 of 2025