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CRL OP No. 6391 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 6391 of 2025

Jayaprakash

S/o. Gandhi, 4/78, Mariyamman
Temple Street, P Kuchipalayam,
Pedagam Post, Villupuram Taluk,
Villupuram District.

Petitioner(s)

Vs

The State Rep by, The Inspector of
Police,
Thiruvannainallur Police Station,
Villupuram District, Crime
No.119/2025.

Respondent(s)

CRL OP No. 6391 of 2025

PRAYER

To grant Anticipatory Bail to the petitioner and order to enlarge him on bail in the event of arrest in Crime No119/2025 by the Respondent Police, and pass such other orders deems fit and proper for the circumstances of the case and thus render justice.



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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2), 326(a) of BNS, old Sections 430, 379 of IPC in Crime No.119 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the petitioner was found to have illegally transported ½ unit of river sand without any valid license.

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



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4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that the contraband was seized. He further submitted that there are two previous cases against the petitioner.

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 petitioner is on bail in the other case, the fact that the contraband was seized and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 of receipt of copy of this order, before the **learned Judicial Magistrate cum Munsif Court-Thiruvannainallur**, on condition that the petitioner shall execute 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,

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on further 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 as and when required for interrogation.

[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



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Kerala [(2005)AIR SCW 5560].

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

06-03-2025

AT

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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SUNDER MOHAN, J.

AT

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To

1. The State Rep by, The Inspector of
Police,
Thiruvannainallur Police Station,
Villupuram District, Crime
No.119/2025.

Crl. O.P. No. 6391 of 2025