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CRL OP No. 8926 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 8926 of 2025

1. Venkatesan

S/o.Vaithanathan, 360, Puthupet,
Pallakollai, Cuddalore District.

Petitioner(s)

Vs

1. The Sub-inspector Of Police,
Karuveppilankurichi Police Station,
Cuddalore District. In Crime No.17 Of
2025

Respondent(s)

PRAYER

To enlarge the petitioner on bail in the event of his arrest in Crime No.17 of 2025 on the file of respondent police

For Petitioner(s): Mr.S.Saravanakumar

For Respondent(s): Public Prosecutor



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS read with Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.17 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant conducted raid at Vannankudikaddu and found the vehicle bearing Reg.No.TN 28 AD 4611, transporting 3 units of pebbles without any valid permit from the Government and further accused escaped from the scene of occurrence after the said vehicle was seized by the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit 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 investigation; that the petitioner has no bad antecedents and prayed for anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the petitioner has no bad antecedents.

5. Taking note of the facts and circumstances of the case, the nature of the allegations, submissions made by the learned counsels on either side, the petitioner has no bad antecedents, and since, custodial interrogation 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 on which the order copy made ready, before **the Judicial Magistrate II, Virudhachalam Taluk** on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties**



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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, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and 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 everyday 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



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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 B.N.S.

24-04-2025

Jai

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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Karuveppilankurichi Police Station,
Cuddalore District. In Crime No.17 Of
2025.

2. The Judicial Magistrate-II,
Virudhachalam Taluk.

3. The Public Prosecutor,
Madras High Court.



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SUNDER MOHAN J.

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