



WEB COPY

Crl.O.P.No.8664 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.8664 of 2025

T. Mani
S/o. Thangavel

....Petitioner/Sole Accused

Vs

The State represented by
The Inspector Police,
Pennagaram Police Station,
Dharmapuri District
(F.I.R. No.70 of 2025)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory
bail in the event of his arrest **in Crime No.70 of 2025**, on the file of the
respondent police.

For Petitioner : Mr. Palanisamy

For Respondent : Mr. S. Balaji
Government Advocate (Crl. Side)



WEB COPY

Crl.O.P.No.8664 of 2025



ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNSS Act, 2023, in Crime No.70 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on secret information, the defacto complainant (the Village Administrative Officer), seized one unit of soil, which was illegally transported by the petitioner in a truck bearing Number TN30 CZ 7897. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is in no way connected with the said offence and 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, and prayed for anticipatory bail to the petitioner.



WEB COPY

Crl.O.P.No.8664 of 202॥



4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has four previous cases and is on bail on all those cases and opposed to grant anticipatory bail to the petitioner.

5. Considering, the submissions made by the learned counsels on either side, the fact that the previous cases against petitioner were registered in the years 2016, 2017 and 2018 and the petitioner is on bail on all those cases, that the contraband has been seized, 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 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 learned District Munsif cum Judicial Magistrate, Pennagaram**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten**



WEB COPY

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 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 imposed and the



WEB COPY

Crl.O.P.No.8664 of 2025



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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

24.03.2025

bga

To

1. The District Munsif cum Judicial Magistrate, Pennagaram.
2. The Inspector Police,
Pennagaram Police Station,
Dharmapuri District
(F.I.R. No.70 of 2025)
3. The Public Prosecutor, High Court, Madras.



WEB COPY



Crl.O.P.No.8664 of 2025

SUNDER MOHAN, J.

bga

Crl.O.P. No.8664 of 2025

24.03.2025