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CrI.O.P.No.7888 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.7888 of 2025

Vasantha Kumar

...Petitioner/Accused

Vs.

The State rep. by
The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram District.

(Crime No.73 of 2025)

....Respondent

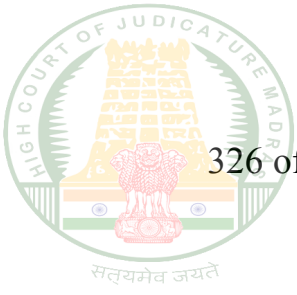
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on anticipatory bail pending investigation of the case in the Crime No.73 of 2025 on the file of the respondent police.

For Petitioner : Mr.Magesh Kumar

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who apprehends arrest at the hands of the respondent, seeking anticipatory bail in Crime No.73 of 2025 registered for the offence under Sections 303(2) and



326 of BNS, 2023.

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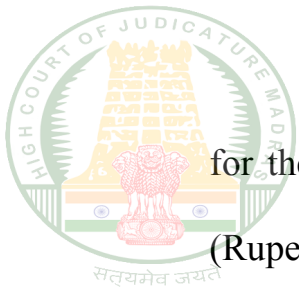
2.The case of the prosecution is that, the petitioner had illegally transported ½ unit of river sand in a TATA Super ACE bearing Reg. No.TN 25 BX 1631.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent; that he has been falsely implicated in this case and since custodial interrogation of the petitioner is not required for the purpose of investigation, he sought for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that the petitioner has four previous cases.

5.At this juncture, the learned counsel for the petitioner submitted that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of any welfare scheme of the Government or any other organization.

6. Considering the voluntary submission made by the learned counsel



for the petitioner, the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of 'District Legal Services Authority, Villupuram District', without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

7. Considering, the nature of allegation; the petitioner is willing to deposit an amount of Rs.5,000/- as non-refundable deposit to any welfare scheme 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.

8. Accordingly, the petitioner is directed to make a non-refundable deposit of Rs.5,000/- (Rupees Five Thousand only) directly to the credit of “District Legal Services Authority, Villupuram”, without prejudice to their rights and contentions before the trial Court, on such deposit and production of proof, 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 No.I,**



Villupuram 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, on further condition that:

[a] 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;

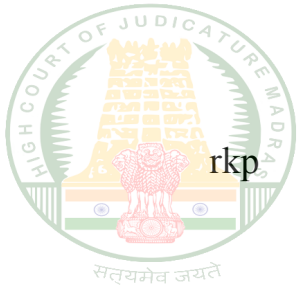
[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 B.N.S.

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Copy to:

- 1.The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram District.
- 2.The Judicial Magistrate Court No.I, Villupuram.
- 3.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN, J.

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