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CrI.OP.No.8111 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.OP.No.8111 of 2025

1. Dhanasekaran
2. Ashok
3. Vinoth

... Petitioner(s) /Accused

Vs.

State rep by the Inspector of Police,
Nemili Police Station,
Nemili, Ranipet District.
Crime No.103 of 2025

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.103 of 2025 on the file of the Inspector of Police, Nemili Police Station, Ranipet District.

For petitioner(s) : Mr.Vinodh Kumar

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



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Government Advocate (Crl.Side)

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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) and 326(a) of BNS, 2023 r/w Section 21(1) of MMDR Act, in Crime No.103 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had attempted to illegally transport one unit of savudu sand in a lorry.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent; that they have been falsely implicated in this case and prayed for anticipatory bail to the petitioners.

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



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5. Taking note of the facts and circumstances of the case, the nature of allegations, submissions made by the learned counsels on either side, and since, custodial interrogation of the petitioners 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 his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **Judicial Magistrate No.II, Arakonam**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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



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Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders.

[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 BNS.

19.03.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
skr



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- To
1. Inspector of Police,
Nemili Police Station,
Nemili, Ranipet District.
 2. The Public Prosecutor,
Madras High Court,
Chennai.
 3. Judicial Magistrate No.II, Arakonam



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SUNDER MOHAN, J.

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