



WEB COPY

Crl.O.P.No.8744 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL O.P NO.8744 of 2025

Kazhagamani
S/o. Pattusamy

....Petitioner/Accused-3

Vs

The State represent by
The Inspector Police,
Sethiyathope Police Station,
Cuddalore District.
Crime No.49 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.49 of 2025**, on the file of the
respondent police.

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



ORDER

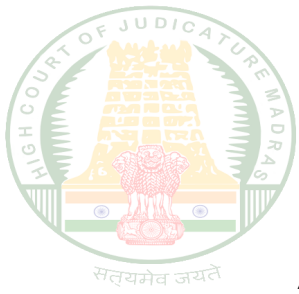
WEB COPY

The petitioner/Accused-3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2), 326(a) r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act 1957, in Crime No.49 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that, on 07.03.2025, the petitioner was found illegally transporting 20 kgs of river sand from vellaru in Allur Village . Hence the case.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the said offence and that the petitioner is ready to abide by any condition that may be imposed by this Court and sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the contraband was seized and that the petitioner has two previous cases similar in nature and he is on bail on that cases.



WEB COPY

Crl.O.P.No.8744 of 2023



5. Considering the nature of allegations, the fact that the contra band was seized, the petitioner is on bail in the previous cases and since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner on 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 Judicial Magistrate, Chidambaram-1**, 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 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.



WEB COPY

Crl.O.P.No.8744 of 2025



[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 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.

26.03.2025

bga

4/6



WEB COPY

Crl.O.P.No.8744 of 2025



SUNDER MOHAN, J.

bga

To

1. The Judicial Magistrate, Chidambaram-1.
2. The Inspector Police,
Sethiyathope Police Station,
Cuddalore District.
Crime No.49 of 2025
3. The Public Prosecutor, High Court, Madras.

Crl.O.P. No.8744 of 2025



WEB COPY



Crl.O.P.No.8744 of 2025

26.03.2025