



WEB COPY

Crl.O.P.No.8856 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.8856 of 2025

Prakash
S/o. Markandeyan

....Petitioner/Accused-2

Vs

The Sub Inspector of Police,
Chunambedu Police Station,
Chengalpattu District.
Cr. No.83 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 by the respondent police in Crime No.83 of
2025 on the file of the respondent police.

For Petitioner : M/s. Elakyavani, M.

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



WEB COPY

Crl.O.P.No.8856 of 2025



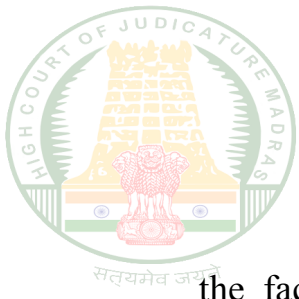
ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 326(a), 303(2) of BNS, 2023, in Crime No.83 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 16.03.2025, the petitioner along with the other accused was found illegally transporting 1/4 unit of river sand in a bullock cart. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and is no way connected with the said offence; that a false case has been foisted against the petitioner; 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 the petitioner has no previous case.



WEB COPY

5. Considering, the nature of allegations against the petitioner, the fact that the petitioner has no previous case, 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, Cheyyur**, 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.

[b] the petitioner shall report before the



WEB COPY

Crl.O.P.No.8856 of 2025



respondent police daily at 10:30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

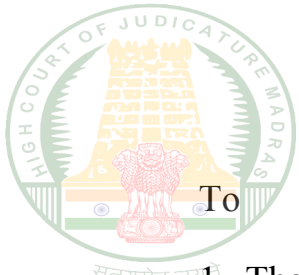
[d] the petitioner shall not abscond either during investigation or trial.

[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



Crl.O.P.No.8856 of 202॥

To

1. The District Munsif-cum-Judicial Magistrate, Cheyyur.

2. The Sub Inspector of Police,
Chunambedu Police Station,
Chengalpattu District

3. The Public Prosecutor,
High Court, Madras.

WEB COPY



WEB COPY



Crl.O.P.No.8856 of 2025

SUNDER MOHAN, J.

bga

Crl.O.P. No.8856 of 2025

26.03.2025