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CRL OP NO.9155 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: **02.04.2025**

CORAM

**THE HONOURABLE MR JUSTICE SUNDER MOHAN**

**CRL OP NO.9155 of 2025**

1. Pallu Kumar @ Sunnapugunta Kumar
  2. Bharath @ Siva Bharath
  3. Rajani @ Sunnapugunta Rajani
- petitioners/A2 to A4
- Vs

The State Rep By  
The Inspector of Police  
F1 Gummidipoondi Police Station,  
Thiruvallur District.  
(Crime No.68 of 2025)

Respondent

Criminal Original Petition filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners/Accused on  
anticipatory bail in the event of arrest in Crime No. 68 of 2025 pending on  
the file of the respondent police.

|                 |   |                                                |
|-----------------|---|------------------------------------------------|
| For petitioners | : | Mr.Sasikumar S                                 |
| For Respondent  | : | Mr.S.Balaji,<br>Government Advocate (Crl.Side) |

**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 the  
BNS, 2023 in Crime No.68 of 2025, on the file of the respondent police,  
seek anticipatory bail.



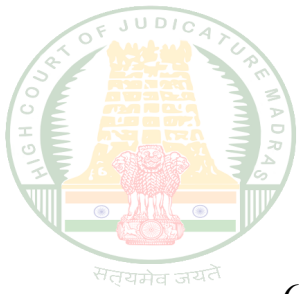
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2. The case of the prosecution is that the co-accused had illegally transported 9 units of river sand.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent; that they have been falsely implicated in this case; and in any case, custodial interrogation of the petitioner is not required 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 the first petitioner/A2 was already arrested, the second petitioner/A3 has 14 previous cases and the third petitioner/A4 has no bad antecedents.

5. Insofar as the first petitioner/A2 is concerned, as he was arrested, this petition has become infructuous, and is dismissed as infructuous. As far as the second petitioner/A3 is concerned, the petition is dismissed as withdrawn.



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6. Taking note of the facts and circumstances of the case, the nature of allegations, submissions made by the learned counsels on either side, the fact that the contraband were seized, the third petitioner/A4 has no bad antecedents, and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the third petitioner/A4 with certain conditions.

7. Accordingly, the third petitioner/A4 is ordered to be released on bail in the event of arrest or on her 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, Gummidipoondi** on condition that the third petitioner/A4 shall execute a separate 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:



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[a] the third petitioner/A4 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 third petitioner/A4 shall report before the respondent police everyday at 10:30 a.m., until further orders.

[c] the third petitioner/A4 shall not tamper with evidence or witness either during investigation or trial.

[d] the third petitioner/A4 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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**vca**

To:

1. The Inspector of Police  
F1 Gummidipoondi Police Station,  
Thiruvallur District.
2. The District Munsif cum Judicial Magistrate,  
Gummidipoondi .
3. The Public Prosecutor,  
High Court Madras.

**SUNDER MOHAN, J.**



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