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Crl O.P.No.9843 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 9843 of 2025

1. Ranjith
2. Gopal

Petitioners/A1&A2

Vs

The State Rep by,
The Sub- Inspector of Police,
Chengam Police Station,
Tiruvannamalai District.
(Crime No.41 of 2025)

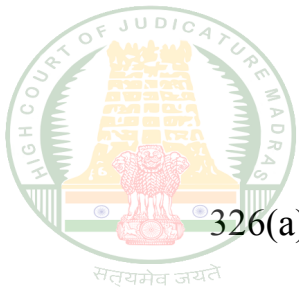
Respondent

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. 41 of 2025 pending
on the file of the respondent police.

For petitioners	:	M/s. R S Govarthan
For Respondent	:	Mr.S.Balaji 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



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326(a) of the BNS Act r/w Section 21(5) of the MM Act in Crime No.41 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners were found illegally transporting 1 unit of river sand in a tipper lorry.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent; that they have been falsely implicated in this case; the petitioners have no bad antecedents and in any case, custodial interrogation of the petitioners 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 petitioner, reiterated the prosecution case and on instructions submitted the contraband were seized and the petitioners have no bad antecedents.

5. 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 petitioners have no bad



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antecedents and since, custodial interrogation 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 petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Chengam** on condition that the petitioners 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, 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 Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police everyday at 10:30 a.m., until further orders.



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[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 of B.N.S.

03.04.2025

vca



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To:

1. The Sub- Inspector of Police,
Chengam Police Station,
Tiruvannamalai District.
2. The Judicial Magistrate,
Chengam.
3. The Public Prosecutor,
Madras High Court.



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SUNDER MOHAN, J.

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