

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2025

CORAM

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 9826 of 2025

Selvaraj
S/o Perumalsamy, 19, Pattakkarar Street,
Vadivelampalayam, Pooluvapatti Coimbatore - 641
101.

Petitioner(s)

Vs

State Rep.By, The Inspector Of Police,
Alandurai Police Station, Coimbatore- 641 101 (Cr
No. 46/2025)

Respondent(s)

For Petitioner(s):

Mr. Gowtham K M

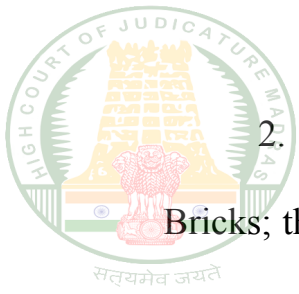
For Respondent(s):

Mr.S.Balaji

Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of Bharatiya Nyaya Sanhita Act, 2023 and Section 21(1) of Mines and Minerals (Development and Regulation) Act 1957 in Crime No.46 of 2025, seeks anticipatory bail.

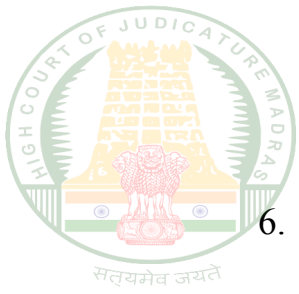


2. The case of the prosecution is that the petitioner is the owner of Mrs Bricks; that the petitioner was operating the said brick kiln; though it was sealed by the VAO along with Revenue Inspector on the ground of procedural non-compliance.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and the petitioner's brick kiln is under seal; that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed 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 petitioner is operating the sealed brick kiln and opposed for the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and also perused the materials available on record.



6. Considering the submissions made on either side; nature of allegation; that the petitioner has no antecedents 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 subject to the following conditions:

7. 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 is made ready, before the Principal Sessions and District Judge, Coimbatore on condition that the petitioner 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 conditions that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[c] the petitioner shall not abscond either during investigation or



trial.

[d] 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 is 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]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

02-04-2025

msv

To

1. Principal Sessions and District Judge, Coimbatore
2. The Inspector Of Police, Alandurai Police Station, Coimbatore- 641 101
3. The Public Prosecutor, High Court, Madras.

SUNDER MOHAN, J.

msv



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