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Crl.OP.No.11886 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 22.04.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

**Crl.OP.No.11886 of 2025**

Karthik M ... Petitioner(s) /Accused

Vs.

The Inspector of Police,  
Deevattipatti Police Station,  
Salem District.  
Crime No.152 of 2025.

... Respondent(s)/ Complainant

**Prayer:** Criminal Original Petition filed under Section 483 of BNSS 2023, to enlarge the petitioner on bail in Crime No.152 of 2025 on the file of the The Inspector of Police, Deevattipatti Police Station, Salem District.

For petitioner(s) : Mr.R.Prabudoss

For Respondent(s) : Mr.Leonard Arul Joseph Selvam  
Government Advocate (Crl.Side)

**ORDER**

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 01.04.2025, seeking bail in Crime No.152 of 2025 registered for the offences under Section 21(i) of



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M.M. Act r/w Section 303(2) of BNS.

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2. The case of the prosecution is that the petitioner had illegally transported 3 units of red sand in a Tipper Lorry.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent; that he has been falsely implicated in this case and prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of bail to the petitioner, reiterated the prosecution case and on instructions submitted that the petitioner has 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 was seized, the petitioner has no bad antecedents and since, further custody of the petitioner is not required, this Court is



inclined to grant bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Omalur, Salem District**, and on further conditions that:

[a] 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 respondent Police, everyday at 10.30 a.m., until further orders;**

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

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



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[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 absconds, a fresh FIR can be registered under Section 269 B.N.S.

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Index : Yes/No  
Speaking Order/Non Speaking Order  
Neutral Citation: Yes/No  
Internet: Yes/No  
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- To
1. The Inspector of Police,  
Deevattipatti Police Station,  
Salem District.
  2. The Public Prosecutor,  
Madras High Court,  
Chennai.
  3. Learned Judicial Magistrate, Omalur, Salem District.
  4. The Superintendent of Prison,  
Central Prison, Salem District.



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**SUNDER MOHAN, J.**

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