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Cr.L.O.P.No.12033 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2025

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 12033 of 2025

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Petitioner(s)

Vs

The State Represented by,
The Inspector Of Police,
Sozhatharam Police Station,
Cuddalore District.
(Crime No.32 of 2025)

Respondent(s)

For Petitioner(s): Mr.N.Chinnaraj

For Respondent(s): Mr.S.Balaji,
Government Advocate (Criminal Side)

PRAYER To enlarge the petitioner on anticipatory bail in the event of his arrest by the Respondent in Crime No.32 of 2025 on the file of the Respondent.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 303(2) of BNS r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act in Crime No.32 of 2025 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that, the accused had illegally

transported 3 unit of savudu sand in a tipper lorry.

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

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the sand illegally transported by the petitioner was seized and that the petitioner has no bad antecedents.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

6. Considering the nature of allegations, the fact that the contraband has been seized, the petitioner 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 petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the



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event of arrest or on his appearance within a period of fifteen days from the

date of receipt of a copy of this order, before the learned **District Munsif cum**

Judicial Magistrate, Kaattumannarkovil 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 conditions 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 respondent police as and when required for interrogation.

[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

SUNDERMOHAN, J.



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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 B.N.S.

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22-04-2025

To

1. The Inspector Of Police,
Sozhatharam Police Station,
Cuddalore District.

2. The Public Prosecutor,
High Court, Madras.

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