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CrI.O.P.No.16600 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13.06.2025**

CORAM

**THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR**

**CrI.O.P.No.16600 of 2025**

Sekaran

... Petitioner/Accused-1

Vs.

State represented by,  
the Inspector of Police  
Pernampet Police Station  
Pernampet Vellore District.  
Crime No.521 of 2024.

... Respondent/Complainant

**Prayer:** Criminal Original Petition filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in  
the event of his arrest in crime No.521 of 2024 on the file of the respondent  
police.



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For Petitioner : Mr.G.Vinodh Kumar

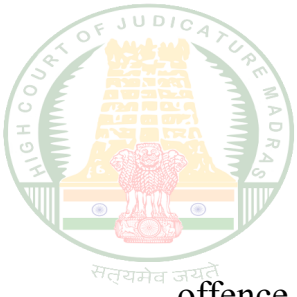
For Respondent : Mr.R.Vinothraja  
Government Advocate (Crl.Side)

### **ORDER**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) & 326(a) of BNS Act, (379, 430 of IPC) in Crime No.521 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was indulged in illegal transportation of one (01) unit of river sand in his vehicle without any valid licence. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such



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offence as alleged by the prosecution. However, on instructions, the learned counsel further submits that the petitioner without prejudice to his rights, on his own volition, is ready and willing to contribute some amount to any charitable trust as may be directed by this Court and he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent opposed for granting anticipatory bail to the petitioner by stating that the petitioner was indulged in illegal transportation of one (01) unit of river sand in his vehicle.

5. Taking into consideration the facts and the submissions made by the learned counsel on either side and also considering the fact that the petitioner on his own volition has agreed to contribute some amount to any charitable trust, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. 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 made ready, before the **learned Judicial Magistrate, Gudiyatham**, 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, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] **The petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) (Non refundable) towards the account of SRI RAMACHANDRA INSTITUTE OF HIGHER EDUCATION AND RESEARCH,**



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**Current Account maintained at Indian Bank, SRU Branch, Porur, Chennai-600 116, bearing Current Account No.471533180, IFSC Code No.IDIB000S180 and to produce the Bank Challan before the Judicial Magistrate, Gudiyatham and the receipt shall be produced at the time of executing the bond;**

**[c] the petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks; thereafter as and when required for interrogation;**

[d] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[e] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;



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[f] the petitioner shall make himself available for interrogation by a Police office as and when required;

[g] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

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

[i] 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];

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

**13.06.2025**

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**To:**

1.The Judicial Magistrate, Gudiyatham.

2.The Inspector of Police  
Pernampet Police Station  
Pernampet Vellore District.  
Crime No.521 of 2024.

3.The Public Prosecutor,  
High Court Madras.



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**M.NIRMAL KUMAR, J.**

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