

CrI.O.P.No.13108 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 28-04-2025**

CORAM

**THE HONOURABLE MR JUSTICE SUNDER MOHAN**

**CRL OP No. 13108 of 2025**

S.Prakasam

Petitioner(s)

Vs

The State Represented by,  
The Inspector of Police,  
Magudamchavadi Police Station,  
Salem District.  
(Cr.No.143 of 2025)

Respondent(s)

For Petitioner(s): Mr.A.Saravanan

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

**PRAYER** To enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.143 of 2025 on the file of the respondent police.

**ORDER**

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Section 303(2) of BNS, in Crime No.143 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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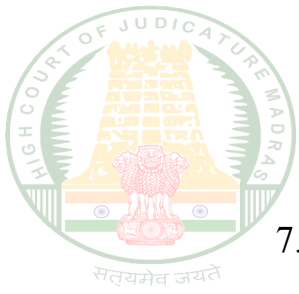
2. The case of the prosecution is that the petitioner along with other accused had attempted to remove sand from the Government land with the help of a JCB vehicle.

3. Learned counsel appearing for the petitioner submitted that the allegations are false; that he has been falsely implicated in this case and in any case, the custodial interrogation of the petitioner is not required and hence prayed for anticipatory bail.

4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that the vehicle has been seized and that the petitioner has involved in the alleged offence.

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 vehicle 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.



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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 made ready, before the learned **Judicial Magistrate No.II, Sankari** 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 condition 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 daily at 10.30 a.m., until further orders.**

[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;



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**SUNDER MOHAN J.**

*drl*

[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 of B.N.S.

drl

**28-04-2025**

To

1. The Inspector of Police,  
Magudamchavadi Police Station,  
Salem District.

2.The Public Prosecutor,  
High Court, Madras.

**CRL OP No. 13108 of 2025**