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CRL OP No. 13363 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 13363 of 2025

1. Arokiyam

S/o.Jaya, No. 5, Thangavel Street,
Thirumankaizhavarapuram,
Thiruneermalai, Chengalpattu District.

2. baby

W/o.Shanmugam, No.11, Thiruvallur
2nd Street, West Tambaram,
Chengalpettu District.

Petitioner(s)

Vs

1. State rep. by

The Inspector of Police, Chrompet
Police Station, Chennai District. Crime
No.68 of 2025

Respondent(s)

PRAYER

To enlarge the Petitioner on bail in the event of their arrest in connection with Crime No.68 of 2025 on the file of respondent Police and thus render justice.



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For Petitioner(s): Mr.S.Thiyagarajan

For Respondent(s): Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.68 of 2025, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that on 12.04.2025, the respondent police intercepted two lorries bearing Reg.No.TN 11 K 4809 and TN 18 AP 8870 and found the petitioners illegally transporting Savdu Sand without any valid license. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the allegations are false and in any case, the custodial interrogation of the petitioners are not required; and hence prays for grant of anticipatory bail to the petitioners.



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4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and on instructions submitted that the first petitioner was arrested in another case and the second petitioner has no bad antecedents.

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

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsel on either side, and in any case, custodial interrogation of the second petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the second petitioner with certain conditions.

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



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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 District Munchif cum Judicial Magistrate, Pallavaram, on condition that the second 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 condition that:

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

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

[d] the second 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



WEB COPY

CRL OP No. 13363 of 2025



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.

8. The anticipatory bail petition in respect of the first petitioner is dismissed as infructuous.

29-04-2025

Jai

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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The Inspector of Police, Chrompet
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2. The District Munchif cum
Judicial Magistrate, Pallavaram.
3. The Public Prosecutor,
Madras High Court, Chennai.



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SUNDER MOHAN J.

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