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CRL OP No. 14601 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.05.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL.O.P.No.14601 of 2025

1.Pandian
2.Subramani

... Petitioners

Versus

State Rep by
The Inspector of Police,
Polur Police Station,
Tiruvannamalai District.
Crime No.141 of 2025.

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on
anticipatory bail in the event of their arrest in Crime No.141 of 2025
pending on the file of the respondent police.

For petitioners : Mr.S.B.Viswanathan

For Respondent : Dr.C.E.Pratap,
Government Advocate (Crl. Side)



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ORDER

WEB COPY The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Section 303(2) and 326(a) of BNS r/w Section 21(1) of Mines and Minerals (Development and Regulation Act, 1957, in Crime No.141 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accuse had illegally transported 1/4 unit of river sand.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.9,000/-, to any welfare scheme of the Government or any other organization. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this court. Hence, he prays for grant of anticipatory bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and submitted that the



contraband and the vehicle were seized.

WEB COPY 5. At this juncture, the learned counsel for the petitioner submitted that the petitioners, without prejudice their rights, on their own volition, are 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.

6. Heard both sides and perused the materials available on record including the First Information Report.

7. Considering the arguments from both sides, the nature of the offence, and considering the fact that the petitioners without prejudice their rights, on their own volition, are ready and willing to contribute some amount to any charitable trust and also considering other relevant aspects, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

8. Accordingly, this Criminal Original Petition stands allowed and the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial**



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Magistrate Court, Polur, Tiruvannamalai District, on condition that the

petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), each, with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall make a non-refundable deposit of **Rs. 9,000/- (Rupees Nine Thousand only)** jointly to the credit of **Ray of Light Foundation, Account No: 50100078904233, HDFC Bank, Habibullah Road, T.Nagar, Chennai, IFSC Code: HDFC0001864**, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

(b) the petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of 30 days and thereafter as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court



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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.2023.

08.05.2025

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Note to Registry:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Inspector of Police,
Polur Police Station,
Tiruvannamalai District.
- 2.The Public Prosecutor,
High Court, Madras.
- 3.The Judicial Magistrate Court, Polur, Tiruvannamalai District.



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L.VICTORIA GOWRI, J.

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