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CRL OP No. 14423 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.14423 of 2025

Damo @ Damodaran

... Petitioner

Versus

State Rep by
The Inspector of Police,
T-11, Somangalam Police Station,
Tambaram.

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS equivalent to Section 438 of C.R.P.C., to enlarge the petitioner on anticipatory bail in the event of arrest in Crime No.90 of 2025 pending on the files of the respondent police.

For petitioner : Mr.R.Vivekananthan

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



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ORDER

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2. The case of the prosecution is that on 23.04.2025, based on an information, the respondent police conducted a search near the Sembarambakkam lake, Pudhuper. At 3.00 a.m, some unidentified individuals were found illegally extracting sand from the lake using a JCB Machine and loading it onto a truck. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner 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.50,000/-, to any welfare scheme of the Government or any other organization. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court. Hence, he prays for grant of anticipatory bail.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that some unidentified individuals were found illegally extracting sand from the lake using a JCB Machine and loading it onto a truck. However, he opposed to grant anticipatory bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, without prejudice to 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 petitioner without prejudice his rights, on his own volition, is 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 petitioner, subject to certain conditions.



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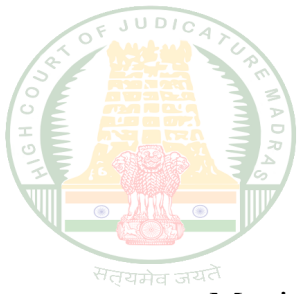
8. Accordingly, this Criminal Original Petition stands allowed and the petitioner is ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate Court, Sriperumpudur** 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 petitioner shall make a non-refundable deposit of **Rs. 50,000/- (Rupees Fifty Thousand only)** 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 petitioner 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 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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[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 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,
T-11, Somangalam Police Station,
Tambaram.
- 2.The Public Prosecutor,
High Court, Madras.



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L.VICTORIA GOWRI, J.

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