



WEB COPY



Crl.OP.No.14739 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.05.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.OP.No.14739 of 2025

1. Prem Pandiyan

2. Sekar

... Petitioner(s) /Accused 3 & 4

Vs.

State rep. by

The Inspector of Police,

Mappedu Police Station,

Thiruvallur District.

Crime No.91 of 2025

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.91 of 2025 pending on the file of the respondent police.

For petitioner(s) : Mr.P.Chandra Sekar

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent



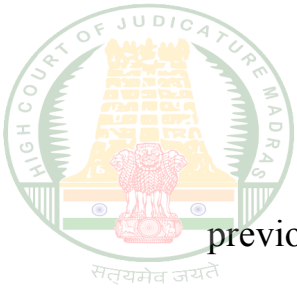
WEB COPY

police for the offences punishable under Sections 303(2) and 326(a) of BNS, 2023 and Section 21(1) of MMDR Act in Crime No.91 of 2025 seek anticipatory bail.

2. The case of the prosecution is that the petitioners had illegally transported 2 units of river sand in a Lorry.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He would submit that the petitioners, without prejudice to the defence and contention, are 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 petitioners are ready to abide by any stringent condition that may be imposed by this court.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners were found to be in transportation of 2 units of river sand through a lorry and that there are two



previous cases of similar nature against the petitioner. Hence, he opposed to grant anticipatory bail to the petitioners.

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

6. Considering the voluntary submission made by the learned counsel for the petitioners, the petitioners are directed to deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand only)** as non-refundable deposit, to the credit of the **RAY OF LIGHT FOUNDATION;** **A/c No:50100078904233; IFSC code: HDFC0001864; Branch: Habibullah Road, T Nagar, Chennai** without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

7. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



WEB COPY 8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the **Judicial Magistrate II, Thiruvallur**, 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 further condition that:

[a] 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, everyday at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation;

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

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



Crl.OP.No.14739 of 2025

[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.

09.05.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
skr/dpa

Note:

- 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 official website of this court will be watermarked and will also have a QR code.**



WEB COPY



Crl.OP.No.14739 of 2025

L.VICTORIA GOWRI, J.
skr/dpa

To

1. The Inspector of Police,
Mappedu Police Station,
Thiruvallur District.
2. The Public Prosecutor,
Madras High Court, Chennai.
3. Judicial Magistrate II, Thiruvallur,

Crl.OP.No.14739 of 2025



WEB COPY



CrI.OP.No.14739 of 2025

09.05.2025