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CrI.O.P.No.15156 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-05-2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CRL OP No. 15156 of 2025

1.Manikandan
2.Uday Kumar @ Udhaya Kumar
3.Anbarasan

Petitioners

Vs

The State Represented by,
The Sub-Inspector of Police,
Vellimedupettai Police Station,
Villupuram.
(Crime No.56 of 2025)

Respondent

For Petitioners : Mr.K.Anand

For Respondent : Mr.V.Meganathan
Government Advocate (Criminal Side)

PRAYER To enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent in Crime No.56 of 2025 on the file of the Respondent.

ORDER

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 303(2) and 326(a) of BNS, in Crime No.56 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that, based on secret information, the respondent police conducted a search at Muttiyur Ayyanarappan Koil, wherein they found the petitioners were illegally transported 1 unit of gravel sand each in two tractors without valid permit. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent; that they have been falsely implicated in this case. He further submitted that the petitioners are no way connected with the alleged offence. He further submitted that they are ready to abide by any conditions that may be imposed by this Court and sought for anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioners were illegally transported 1 unit of gravel sand each, in two tractors without any permission. He further submitted that the vehicle and the contraband have been seized; that the petitioners have no previous cases against them.



Crl.O.P.No.15156 of 2025

5. At this juncture, the learned counsel for the petitioners submitted that

the petitioners, without prejudice to his defense and contention, are ready and willing to deposit an amount of Rs.5,000/- as non-refundable deposit to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of anticipatory bail to the petitioners.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and the petitioners are directed to make a non-refundable deposit of **Rs.5,000/- [Rupees Five Thousand Only]** directly to the credit of “**Advocate Bar Association, Villupuram District**”, without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Tindivanam on condition that the petitioners shall execute a separate 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 said Magistrate, on further condition that:

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[a] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] the petitioners shall report before the respondent Police daily at 10.30 a.m for a period of 30 days;

[d] the petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall make himself available for interrogation by a Police office as and when required;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] the petitioners shall not abscond either during investigation or trial;

[h] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the



CrI.O.P.No.15156 of 2025

petitioners 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];

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

drl

16-05-2025

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 the official website of this Court will be watermarked and will also have a QR code.”

To

1. The Judicial Magistrate No.I,
Tindivanam.

2. The Sub-Inspector of Police,
Vellimedupettai Police Station,
Villupuram.

3. The Public Prosecutor,
High Court, Madras.

M.NIRMAL KUMAR, J.



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CrI.O.P.No.15156 of 2025

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CRL OP No. 15156 of 2025

16.05.2025