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CRL OP No. 15387 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-05-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15387 of 2025

Radhakrishnan

S/o.Sarathi, NO.146, 1st Street,
Melchettipattu, Kilsurupakkam,
Tiruvannamalai District.

Petitioner(s)

Vs

1. State by the Inspector of Police,
Tiruvannamalai West Police Station,
Tiruvannamalai District. (Crime
No.100/2025)

Respondent(s)

PRAYER

To enlarge the Petitioner/A2 on Bail in the Event of his arrest pending investigation in Crime No.100/2025 on the file of the Respondent-Police and thus render justice.

For Petitioner(s): M/s.Rebecca

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



ORDER

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The petitioner, apprehends arrest for the alleged offences under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023, r/w 21 (1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.100 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner accused illegally transported three units of Morambu sand without any valid license or permit. Hence, the case is registered against the petitioner.

3. The learned counsel appearing for the petitioner submits that the petitioner is the owner of Tipper Lorry bearing Reg. No.TN 25 CF 6928, which was being used for commercial purposes to earn his livelihood. He further submits that the petitioner is an innocent person and the case has been falsely foisted against him by the respondent for statistical purposes. He further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner accused illegally transported three unit of Morambu sand without any valid license. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. 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 petitioner with certain conditions and the petitioner is directed to make a non-refundable deposit of **Rs.5,000/- [Rupees Five Thousand Only]** directly to the credit of “**Advocate Bar Association, Thiruvannamalai District**”, without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.2, Thiruvannamalai**, 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 said Magistrate, on further condition that:



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[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 two weeks and thereafter, as and when required for further 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;

[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 of B.N.S.

15-05-2025

ASI



To

1. The Inspector of Police,
Tiruvannamalai West Police Station,
Tiruvannamalai District.

2. The Judicial Magistrate No.2,
Thiruvannamalai District.

3. The Public Prosecutor,
High Court of Madras, Chennai.



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M.NIRMAL KUMAR J.

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