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Crl.O.P.No.15205 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **21.05.2025**

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.15205 of 2025

Manikandan

... Petitioner

-VS-

The State Represented by,
The Inspector of Police,
Ulundurpet Police Station,
Kallakurichi District.
(Crime No.249 of 2025)

... Respondent

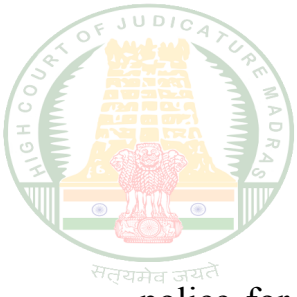
PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail in the
event of their arrest by the respondent police in Crime No.249 of 2025 pending
investigation on the file of the respondent police.

For Petitioner : Mr.Magesh Kumar

For Respondent : Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent



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police for the alleged offences under Section 303(2) of BNS, 2023 r/w Section 21(1) of Mines & Minerals (Development Regulation) Act, 1957 in Crime No.249 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in illegal transportation of 3.5 units of pebbles in a Tipper Lorry bearing Re.No. TN 32 J 9703, without any valid permission. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has 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.5,000/-, 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 to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner was found in illegal transportation of 3.5 units of pebbles in a Tipper Lorry, without any valid permission. He



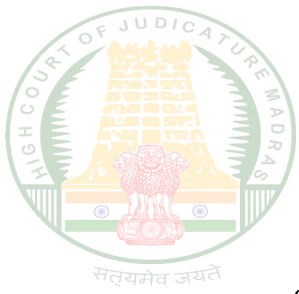
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further submitted that the petitioner has seven previous cases, pending against him and he is on bail in those cases. However, he opposed to grant anticipatory bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, without prejudice his rights, on his own volition, is 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 that the petitioner is on bail in previous cases and considering the fact that the petitioner without prejudice to 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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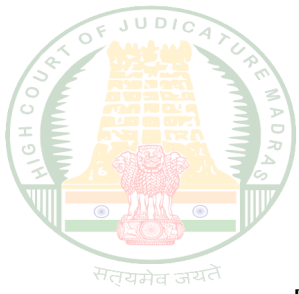
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8. Accordingly, this Criminal Original Petition stands allowed and the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Ulundurpet at Kallakurichi District**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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. 5,000/- (Rupees Five Thousand only)** to the credit of **"The Dean, Stanley Government Medical College and Hospital, Chennai, bearing A/c.No.39219285071, State Bank of India, Old Jail Road, Stanley Hospital, IFSC : SBIN0001476"**, 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 concerned Court.

[b] the petitioner shall report before the concerned Judicial Magistrate daily at 10.30 a.m, from Monday to Friday and shall further appear before the respondent police at 10.30 a.m., on every Saturday and Sunday until further orders.

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



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[d] the petitioner 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 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].

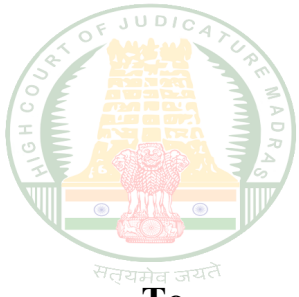
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

21.05.2025

drl

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.”



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To
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- 1.The Inspector of Police,
Ulundurpet Police Station,
Kallakurichi District.
- 2.The Public Prosecutor,
High Court, Madras.
- 3.The Judicial Magistrate No.I,
Ulundurpet at Kallakurichi District.



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N.SENTHILKUMAR,J

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