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CRL OP No. 15330 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. 15330 of 2025

PRASAD

S/o.Abbayya, No.2/34, Chinnamuthali,
Hosur Taluk, Krishnagiri District.

Petitioner(s)

Vs

1. State Rep. by The Inspector of
Police,
Berigai Police Station, Krishnagiri
District. (Crime No.161/2025)

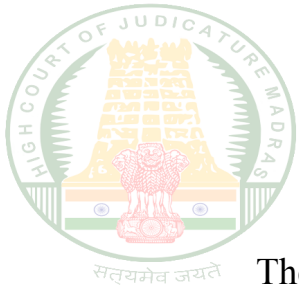
Respondent(s)

PRAYER

To enlarge the petitioner on bail in the event of his arrest in Crime No.161/2025
pending investigation on the file of the respondent

For Petitioner(s): Mr. E Kannadasan

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



ORDER

The petitioner, apprehends arrest for the alleged offences under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023, and Sections 21 (1) and 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.161 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 two units of broken stones without any valid license or permit from the Government. Hence, the case is registered against the petitioner.

3. The learned counsel appearing for the petitioner 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.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner accused illegally transported two units of broken sand without any valid license. He further submitted that there is no previous case pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.



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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, Krishnagiri 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-I, Hosur**, 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:

[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;



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[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;

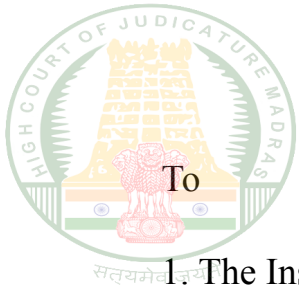
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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

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To

1. The Inspector of Police,
Berigai Police Station,
Krishnagiri District.

2. The Judicial Magistrate-I, Hosur.

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



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M.NIRMAL KUMAR J.

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