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CRL OP No. 15379 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-05-2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15379 of 2025

AROKIYAM

S/o.Jaya, No. 5, Thangavel Street,
Thirumankaizhavarapuram,
Thiruneermalai, Chengalpattu District

Petitioner(s)

Vs

State rep. by The Inspector of Police,
Chrompet Police Station, Chennai
District. (Crime No.68 of 2025)

Respondent(s)

PRAYER

To enlarge the Petitioner on bail in the event of his arrest in connection with
Crime No.68 of 2025 on the file of respondent police

For Petitioner (s) : M/s.Vimal Kumar. S

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



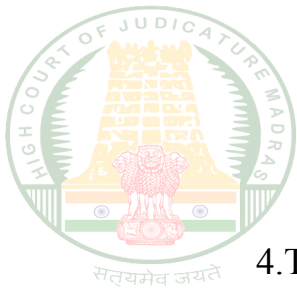
ORDER

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The petitioner, apprehends arrest for the alleged offences under Section 21 (1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.68 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 Savdu 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 the Lorry bearing Reg.No.TN 11 K 4809 along with another Lorry bearing Reg.No.TN 18 AP 8770 and he is transporting soil from a private location and is unaware that a separate permit was required. He further submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. 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 Savdu 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, Chengalpattu 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 **District Munsif-cum-Judicial Magistrate, Pallavaram**, 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

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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 Inspector of Police,
Chrompet Police Station, Chennai
District.

2. The District Munsif-cum-Judicial
Magistrate, Pallavaram.

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



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M.NIRMAL KUMAR J.

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