



Crl.O.P.No. 15521 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.15521 of 2025

1.Venkadachalam

2.Vaiyamalai

... Petitioners/Accused No.6 & 7

Versus

The State Rep by its
The Inspector of Police,
Sendamangalam Police Station,
Namakkal District.

(Crime No. 52 of 2025)

... Respondent

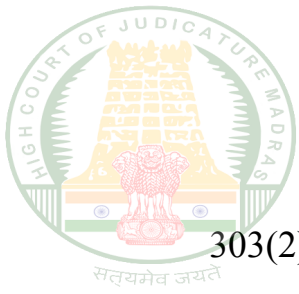
Prayer:- Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail, in Crime No.52 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr.R.Rajprabhu

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioners/Accused No.6 & 7 who were arrested and remanded to judicial custody on 25.02.2025, seeking bail in Crime No.52 of 2025 registered for the offence under Sections



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303(2) of BNS @ Sections 303(2), 61(2) BNS r/w Section 3(1) TNPPDL Act r/w

Section 21(1) of Mines and Minerals Act.

2. The case of the prosecution is that the petitioners had illegally transported stones from Kondappanaickenpatti Village, Karadu Porambokku land without any permission. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the similarly placed co-accused was granted anticipatory bail by this Court in Crl.O.P.No.5013 of 2025 and the petitioners are in custody from 25.02.2025. He further submitted that the petitioners, without prejudice to their rights, are ready to deposit a sum of Rs.10,000/- to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the



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respondent police while opposing the grant of bail, reiterated the prosecution case and submitted that the stones and the vehicles had been seized.

5. Heard learned counsel on either side and perused the materials available on record.

6. Considering the nature of allegations, period of incarceration, the fact that the similarly placed co-accused was granted anticipatory bail by this Court in Crl.O.P.No.5013 of 2025 and since further custody of the petitioners are not required for the purpose of interrogation, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, considering the voluntary submission, the petitioners are directed to deposit a sum of **Rs.10,000/-** (Rupees Ten thousand only) as non-refundable deposit either through RTGS/NEFT/cash/demand draft in favour 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**, without prejudice to their defence before the trial Court and on such deposit, the petitioners are ordered to be released on bail on their executing



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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 learned **Judicial Magistrate, Sendamangalam, Namakkal**, and on further conditions 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;

[b] the petitioners shall report before the jurisdictional Magistrate from Monday to Friday at 10.30 a.m., and shall appear before the respondent Police on Saturday and Sunday at 10.30 a.m., until further orders;

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

[d] the petitioners 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 B.N.S.

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dpa/skr



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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 official website of this court will be watermarked and will also have a QR code.**

To

- 1.The Judicial Magistrate, Sendamangalam, Namakkal.
2. The Superintendent, Central Prison,
Salem.
- 3.The Inspector of Police,
Sendamangalam Police Station,
Namakkal District.
- 4.The Public Prosecutor,
High Court, Madras.

N.SENTHILKUMAR, J.

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