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Crl.O.P.No. 15678 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22.05.2025**

CORAM

**THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR**

**CRL. O.P.NO.15678 of 2025**

1. Sampath
2. Hariprasanth

... Petitioners

Vs

State Rep. By its,  
Inspector of Police,  
Perumbalai Police Station,  
Dharmapuri District.  
(Crime No.36 of 2025)

...Respondent

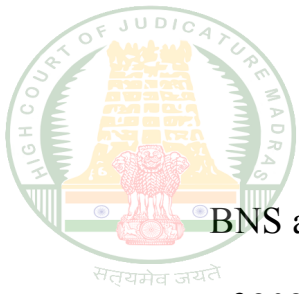
Criminal Original Petition filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner/Accused on  
anticipatory bail in the event of arrest in Crime No. 36 of 2025 pending  
on the file of the respondent police.

For petitioners : Mr.W.Camyles Gandhi

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

**ORDER**

The petitioners, who apprehend arrest at the hands of the  
respondent police for the offences punishable under Sections 303(2) of



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BNS and 21(1)(4) of Mines & Minerals Act (379 of IPC) in Crime No.36 of 2025 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioners illegally transported two units of ordinary soil used for bricks without proper permission.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case; that the petitioners had never committed any offence as alleged by the prosecution; that the petitioners, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.10,000/- to any welfare scheme of the Government or any other organization and ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and sought for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to

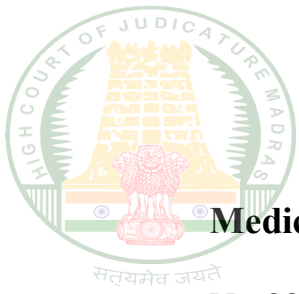


the petitioners, reiterated the prosecution case and on instructions submitted that there is no previous case pending against the petitioners.

5. Taking note of the facts and circumstances of the case, the nature of allegation against the petitioners, submissions made by the learned counsels on either side, this Court is inclined to grant anticipatory bail to the petitioners.

6. Taking into consideration the voluntary submission made by the petitioners offering to deposit a considerable amount to any charitable organization or association, this Court is of the opinion that as one of the conditions for grant of anticipatory bail, the petitioners may be directed to deposit a sum of **Rs.10,000 /- (Rupees Ten Thousand only)** to the credit of **The Dean, Stanley Government Medical College and Hospital, Chennai** without prejudice to his rights and contentions before the Trial Court.

6. Accordingly, the petitioners shall make a non refundable deposit of **Rs.10,000/- (Rupees Ten Thousand only)** by way of Demand Draft/RTGS/NEFT to the credit of the **The Dean, Stanley Government**



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**Medical College and Hospital, Chennai, bearing A/c.**

**No.39219285071, State Bank of India, Old Jail Road, Stanley**

**Hospital, IFSC:SBIN0001476** and on such deposit and on receipt of proof of payment, the petitioners are ordered to be released on 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, Ponnagaram** on condition that the petitioners 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioners and 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 concerned Magistrate/Judge from Monday to Friday at 10.30 a.m for a period of one week and thereafter, appear before the respondent police everyday at 10.30 a.m for a period of two weeks;**

[c] the petitioners shall not tamper with evidence



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or witness either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

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ns1/stn



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**Note:-**

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- 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 Inspector of Police,  
Perumbalai Police Station,  
Dharmapuri District.
2. The Judicial Magistrate, Ponnagaram
3. The Public Prosecutor,  
Madras High Court.



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**N.SENTHILKUMAR, J.**

nsi/stn

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