



Crl.O.P.No.15995 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.05.2025

CORAM

THE HON'BLE Mrs. JUSTICE K.GOVINDARAJAN THILAKAVADI

CRL.OP.No. 15995 of 2025

1.D.Bharathiraja

2. R.Karthik

Vs

... Petitioners

State rep.by

The Inspector of Police,
Thiruvalam Police Station,
Thiruvlam, Vellore District
(Crime No.48 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioner on bail, in Crime No.48 of 2025 on the file
of the respondent Police.

For Petitioner(s): Mr. C.Prakasam

For Respondent(s): Mr.A.Gokulakrishnan,
Additional Public Prosecutor

ORDER

The petitioner/Accused, who apprehends arrest at the hands
of the respondent police for the offences punishable under Sections 303(2) of
BNS Act, 2023 r/w Section 4(1)(1A) and 21 (4) of Mines and



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Minerals(Development & Regulation) Act, 1957, in Crime No.48 of 2025, on

the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is alleged to have loaded black granite in a lorry without valid permit and thus, committed the aforesaid offence.

3.Learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case and that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court, and prayed for anticipatory bail to the petitioners.

4.Learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioners are owner and driver of the lorry in which the granites are illegally transported without valid permit. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.



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6. Considering the nature of allegations and the fact that the custodial interrogation of the petitioners are not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Taking note of the facts and circumstances of the case, the nature of allegations, submissions made by the learned counsel on either side, the fact that the contraband was seized and since custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate, Katpadi, Vellore District**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each 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 learned Magistrate concerned, failing which, the petition



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for anticipatory bail shall stand dismissed and on further conditions that:

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[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 respondent police everyday at 10:30 a.m., for a period of two months and thereafter as and when required for interrogation;

[c] the petitioners shall not tamper with evidence 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.

Gv

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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, Katpadi, Vellore District.
- 2.The Inspector of Police,
Thiruvalam Police Station,
Thiruvlam, Vellore District
- 3.The Public Prosecutor,
High Court of Madras.

K.GOVINDARAJAN THILAKAVADI, J.



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