



CrI.O.P. No.16002 of 2025

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K.GOVINDARAJAN THILAKAVADI, J.

This matter is posted today under the caption 'For Being Mentioned' at the instance of Mr. R.M. Gokulakrishnan, learned counsel appearing for the petitioner.

2. The learned counsel appearing for the petitioner submitted that on 28.05.2025, this Court had passed an order in this matter, wherein the Crime number has been wrongly typed as "39/2025" instead of "39/2022" in the cause title portion as well as in the first paragraph of the order dated 28.05.2025 and prayed to correct the said error.

3. Mr. S. Sugendran, learned Additional Public Prosecutor did not raise any objection in making the abovesaid correction.

4. Considering the submissions made by the learned counsel for the petitioner, the Registry is directed to correct the Crime number as 39/2022 in the aforesaid two places and issue fresh order copy.

10.06.2025

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Note: Issue order copy on 10.06.2025



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K.GOVINDARAJAN THILAKAVADI, J.

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Crl.O.P. No.16002 of 2025

10.06.2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.05.2025

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THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN THILAKAVADI

CRL OP No. 16002 of 2025

Kathiravan

... Petitioner

VS

The State Represented by,
The Sub Inspector of Police,
Thiruvalankadu Police Station,
Thiruvallur.
(Crime No. 39 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No. 39 of 2022 on the file of the Respondent.

For petitioner : Mr.R.M.Gokulakrishnan
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 379, 430 of IPC r/w 21(1) of the Mines & Minerals (Development Regulation) Act, 1957 in Crime No.39 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found to be illegally transporting 1/4 unit of river sand in Bolero Van, without valid license.



Hence the complaint.

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3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence and he has been falsely implicated in this case. He further submitted that the petitioner, 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. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions, submitted that the contraband were seized.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Further, considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of **Tamil Nadu Advocate's Clerk's Association', Account Name:Tamil Nadu Advocate's Clerk's Association, Account No.484026006, Branch:Indian Bank, High Court, IFSC NO.IDIB000M157** without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.



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

8. Accordingly, 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 on which the order copy made ready, before **the learned Judicial Magistrate, Tiruthani** on condition that the petitioner shall execute a separate 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 learned Magistrate concerned, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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 petitioner shall report before the respondent police everyday at 10:30 a.m., for a



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period of two months and thereafter as and when required.

[c]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d]the petitioner 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 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.

28.05.2025

GV

“Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.



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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 Judicial Magistrate,
Tiruthani.
2. The Sub Inspector of Police,
Thiruvallankadu Police Station,
Thiruvallur.
3. The Public Prosecutor,
High Court, Madras.

K. GOVINDARAJAN THILAKAVADI.J.,

GV

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