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CRL OP No. 16550 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 16550 of 2025

V.Selvakumar

C/o. Venkatesan, residing at Y-178,
Flat- F1, 1st Floor, VTC Anna Nagar,
Chennai- 600040.

Petitioner

Vs

State represented by Inspector of Police
Avadi Police Station, Avadi, Chennai
Crime No 348 OF 2025

Respondent

PRAYER To enlarge the petitioner /accused on anticipatory bail in the event of his arrest at the hands of the respondent police in connection with Crime No.348/2025 pending on the file of the respondent police and thus render justice.

For Petitioner: Mr.S Chinna Samy

For Respondent: Mr.Vinoth Raja Government
Advocate (crl. Side)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS of 2023 and under Section 21(1) Mines & Minerals (Development & Regulation) Act 1957, in Crime No.348 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused were illegally carrying 6 tons of Earth Filling sand in a vehicle bearing Registration No.TN-23-AK-9988. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case; that the petitioner had never committed any offence as alleged by the prosecution; that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.15,000/- 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 petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has no previous cases; and that investigation is pending, hence opposed the grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances of the case, the nature of allegation against the petitioner, submissions made by the learned counsels on either side 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. Taking into consideration the voluntary submission made by the petitioner 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 petitioner may be directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the



credit of The Dean, Adyar Cancer Institute, Chennai without prejudice to his rights and contentions before the Trial Court.

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6. Accordingly, **the petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) (Non refundable) towards the account of CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA), Dr.S.Krishnamurthi Campus, Sardar Patel Road, Chennai-36, bearing SB Account No.149710011005477, IFS Code No.ANDB0001497, Branch Name and Code 1497, MICR No.600011049 and to produce the Bank Challan before the Judicial Magistrate No.II, Poonamallee, Thiruvallur District and on such deposit and on receipt of proof of payment, 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 Judicial Magistrate No.II, Poonamallee, Thiruvallur District** on condition that the petitioner 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 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 daily at 10.30 a.m., until further orders.

[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]**;



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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 BNS.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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- 1.State represented by Inspector of
Police
Avadi Police Station, Avadi, Chennai
Crime No 348 OF 2025
- 2.The Judicial Magistrate-II,
Poonamallee, Thiruvallur District.
- 3.The Public Prosecutor,
High Court of Madras, Chennai-104.



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M.NIRMAL KUMAR J.

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