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CRL OP No. 16870 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 16870 of 2025

1. Anthoni Muthu

2. Hareesh Raj

Petitioner(s)

Vs

The Inspector of Police,
Thirukkannapuram Police Station,
Nagapattinam District.
Crime No.83/2025.

Respondent(s)

PRAYER

This petition is filed under Section 482 of BNSS to enlarge the Petitioners on Anticipatory bail in the event of their arrest in Crime No.83 of 2025 pending on the file of the respondent police and thus render justice.

For Petitioner(s): Mr.C R Gokulvisvas

For Respondent(s): M/s.Vinoth Raja GA (crl. Side)



ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2), 326(a) of BNS and Section 21(c) of Mines and Minerals Act in Crime No.83 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on the day of occurrence, while the Village Administrative Officer on his filed work, at that time, he intercepted a vehicle bearing Reg.No.TN 36 P 9623 and found the petitioners transporting 1 and ½ unit of sand without any valid license. Hence the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and have been falsely implicated in this case. Learned counsel further submitted that petitioners are ready to abide by any condition for their release. Hence, the learned counsel prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation is at crucial stage and opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners, and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record.

6. Considering the submissions made by the learned counsel appearing on either sides and since, custodial interrogation of the petitioners are not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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



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date on which the order copy made ready, before **the learned Judicial**

Magistrate, Nagapattinam on condition that each of the petitioners shall

execute 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 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] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] **the petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks;**

[d] **The first petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) (Non refundable) towards the account of SRI RAMACHANDRA INSTITUTE OF HIGHER**



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EDUCATION AND RESEARCH, Current Account maintained at Indian Bank, SRU Branch, Porur, Chennai-600 116, bearing Current Account No.471533180, IFSC Code No.IDIB000S180 and to produce the Bank Challan before the learned Judicial Magistrate, Nagapattinam and the receipt shall be produced at the time of executing the bond;

[e] The second petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) (Non refundable) towards the account of SRI RAMACHANDRA INSTITUTE OF HIGHER EDUCATION AND RESEARCH, Current Account maintained at Indian Bank, SRU Branch, Porur, Chennai-600 116, bearing Current Account No.471533180, IFSC Code No.IDIB000S180 and to produce the Bank Challan before the learned Judicial Magistrate, Nagapattinam and the receipt shall be produced at the time of executing the bond;

[f]the petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[g] the petitioners shall make themselves available for interrogation by a Police office as and when required;

[h] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for Police



custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

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

[j] 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];

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

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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1. The Inspector of Police,
Thirukkannapuram Police Station,
Nagapattinam District.
2. The Judicial Magistrate,
Nagapattinam.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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