



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 11.07.2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL.O.P.No.16902 of 2025

1. Mohammed Sulaiman
2. Jagadeesha

Petitioners

Vs

State Rep. by
The Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.
(Crime.No.213/2025)

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023/438 of Criminal Procedure Code, to enlarge the petitioners on bail in the event of their arrest in Crime.No.213/2025 pending investigation on the file of the respondent.

For Petitioners : M/s.S.Priyadarshini

For Respondent : Mr.Leonard Arul Joseph Selvam,
Government Advocate (Crl.side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent



police for the offences punishable under Section 303 (2) of BNS 2023 r/w

Section 21 (1) of Mines and Minerals (Development and Regulation) Act, in

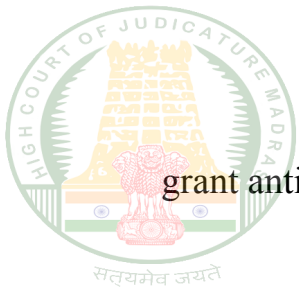
Crime No.213 of 2025, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that, the petitioners were found in illegal possession of 1 unit of Granite Stone. Hence the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they had been falsely implicated in this case. He further submitted that the custodial interrogation of the petitioners is not required and sought for anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal side) reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioners.

5. Considering the above facts and circumstances of the case and since custodial interrogation of the petitioners is not required, this Court is inclined to

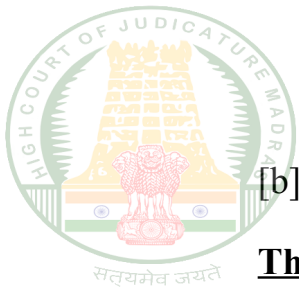


grant anticipatory bail to the petitioners with certain conditions.

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6. Accordingly, the petitioners shall deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each without prejudice to their defence [as non refundable deposit to the credit of the](#) **to the credit of Madras Advocate Cooperative Society Limited, Madras in Account No.484022647, Indian Bank, Madras High Court Branch, Madras**, and on such deposit, 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 No.I, Hosur**, on condition that the petitioners shall execute a 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 for anticipatory bail shall stand dismissed and on further condition that:

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



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[b] the petitioners shall deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each as non refundable deposit to the credit of **Madras Advocate Cooperative Society Limited, Madras in Account No.484022647, Indian Bank, Madras High Court Branch, Madras.**

[c] the petitioners shall report before the respondent Police daily at 10.30 a.m for a period of two weeks; thereafter as and when required for interrogation;

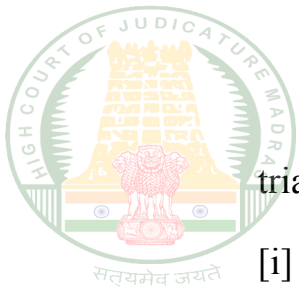
[d]The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[e] 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;

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

[g] 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;

[h] the petitioners shall not abscond either during investigation or



trial;

[i] 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];

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

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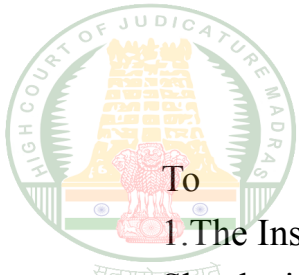
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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

1.The Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.

2.The Judicial Magistrate No.I,
Hosur.

3.The Public Prosecutor
High Court of Madras.



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