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Crl.O.P. No.16979 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2025

CORAM

THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No.16979 of 2025

Shankar

... Petitioner/ Accused No.1

Vs.

The State Rep. By,
The Inspector of Police,
Kandili Police Station,
Tirupattur District.
(Crime No.136 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 by the respondent police concerned in Crime No.136 of 2025, on the file of the respondent police.

For Petitioner : Mr. R. Sudhagar

For Respondent : Mr. R. Vinothraja
Government Advocate (Crl. Side)



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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 305(e) and 326(a) of The Bharatiya Nyaya Sanhita (BNS) in Crime No.136 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that based on a secret information, the respondent police went to the spot and found that the accused person was involved in illegal transportation of 3 units of sand in a tipper lorry bearing Registration No.TN-29-BL-1483 without any valid permit; that on investigation, it is revealed that the petitioner is the owner of the said lorry and he was also involved in the aforesaid offence. Hence, this case.

3. Learned counsel appearing for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case and has not committed any offence as alleged by the prosecution; that the petitioner is the owner of the said tipper lorry and the petitioner is an authorized license holder to take sand; and that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and sought for anticipatory bail



to the petitioner.

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4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and on instruction submitted that the petitioner is the owner of the tipper lorry involved in the offence; that the petitioner is having 4 previous cases of similar nature; and that the investigation is pending and opposed the grant of anticipatory bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case, the nature of allegation against the petitioner, the submissions made by the learned counsels on either side, the fact that the petitioner has bad antecedents and the investigation is pending, this Court is not inclined to grant anticipatory bail to the petitioner.



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M. NIRMAL KUMAR, J.

stn

7. Accordingly, this criminal original petition is dismissed.

19.06.2025

stn

To

1. The Inspector of Police,
Kandili Police Station,
Tirupattur District.
(Crime No.136 of 2025)
2. The Public Prosecutor, High Court of Madras.

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