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CRL OP No. 16988 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 17-06-2025**

CORAM

**THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR**

**CRL OP No. 16988 of 2025**

S.BABU

Petitioner

Vs

The State Rep. by The Inspector of  
Police,  
Latheri Police Station, Vellore District. Respondent  
Crime No.64 of 2025.

**PRAYER** Criminal Original Petition filed under Section 483 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of  
his arrest in Crime No. 64 of 2025 on the file of the respondent police.

For Petitioner: Mr.K Sathish Kumar

For Respondent: Mr.R.Vinothraja  
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), 326(a) of BNS, 2023, in Crime No.64 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found to be in illegal possession of 4 bags of river sand, 50 kgs each. Hence the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent; that he has been falsely implicated in this case and in any case, custodial interrogation of the petitioner is not required and sought anticipatory bail.

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 submitted that the contraband were seized.

He further submitted that the petitioner has no previous case.

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

6. Taking note of the facts and circumstances of the case, the nature of allegations, the fact that the contraband has been seized and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 of receipt of a copy of this order, before **the Judicial Magistrate, Katpadi, Vellore District**, on condition that the petitioner 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 said Magistrate, failing which, the petition

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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 period of two weeks 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



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Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh  
FIR can be registered under Section 269 of B.N.S.

**17-06-2025**

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To  
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- 1.The State Rep. by The Inspector of Police,  
Latheri Police Station, Vellore District.  
Crime No.64 of 2025.
- 2.The Judicial Magistrate, Katpadi,  
Vellore District.
- 3.The Public Prosecutor,  
High Court of Madras, Madras.



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**M.NIRMAL KUMAR J.**

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