

CRL OP NO. 17288 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2025

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THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CRL OP NO. 17288 of 2025

Hariharan

Petitioner(s)

Vs

The State rep by

The Inspector of police
Sriperumbudur Police Station,

Kancheepuram District.

(Crime no.330/2024)

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.330 of 2024 on the file of the respondent police.

For Petitioner(s):

Mr.R.Parthiban

For Respondent(s):

Mr.R.Vinoth Raja
Government Advocate (Criminal side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 430, 379 of I.P.C and r/w. 21 (1) of Mines and Minerals



(Development and Regulation) Act, 1957, in Crime No.330 of 2024, seeks anticipatory bail.



1.

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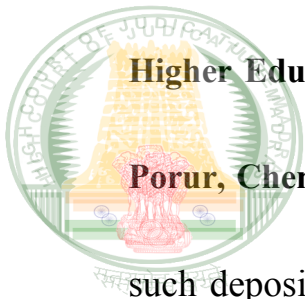
2. The case of the prosecution is that the petitioner was found in illegal possession of 3 units of Soudu Sand in tipper lorry. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the custodial interrogation of the petitioner is not required and sought for anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall deposit a sum of **Rs.25,000/-** (Rupees Twenty Five Thousand only) as non refundable deposit to the credit of the **Sri Ramachandra Institute of**



Higher Education and Research, Current Account maintained at Indian Bank, SRU Branch, Porur, Chennai-600 116, bearing Account No.471533180 IFSC Code No.IDIB000S180, and on

such deposit, 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 learned **Judicial Magistrate, Sriperumbudur** 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 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;

[b] the petitioner shall deposit a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) as non refundable deposit to the credit of the Sri Ramachandra Institute of Higher Education and Research, Current Account maintained at Indian Bank, SRU Branch, Porur, Chennai-600 116, bearing Account No.471533180 IFSC Code No.IDIB000S180,**

[c] the petitioners shall report before the respondent Police 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;

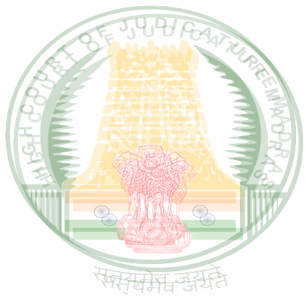
[h] the petitioners shall not abscond either during investigation or trial;

[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 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];

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

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To
1.The Inspector of police
Sriperumbudur Police Station,

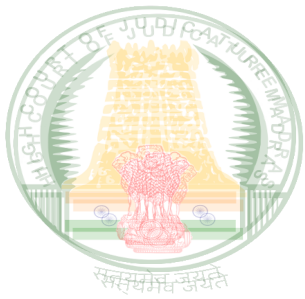
Kancheepuram District.

2.Judicial Magistrate

Sriperumbudur.

3.The Public Prosecutor

Madras High Court.

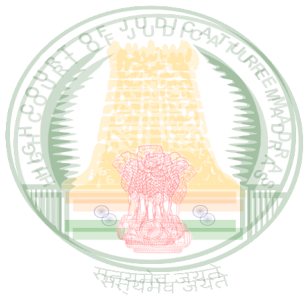


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M.NIRMAL KUMAR, J.

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