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CrI.O.P.No.18626 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.18626 of 2025

Kumar

... Petitioners

Vs.

State represented by,
The Sub- Inspector of Police,
Dusi Police Station,
Thiruvannamalai District
(Crime No. 245 of 2025)

... Respondent

PRAYER : Criminal Original Petition has been filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest in Crime No. 245 of 2025 on the file of the respondent Police.

For Petitioners : Mr. A.Anbharasu

For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 303(2) and 326(a) of BNS, 2023 and Section 21(1) of Mines and Minerals (Development and Regulation Act, 1957) in Crime No. 245 of 2025 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that when the respondent police patrolling near Pudhupalayam river bed, they found that the petitioner had illegally transported $\frac{1}{4}$ unit of river sand without any permit. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioner.

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsel appearing on either sides, this Court is inclined to grant anticipatory bail to the petitioner



with certain conditions.

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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 on which the order copy made ready, before the learned **Judicial Magistrate, Cheyyar** 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] 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 for interrogation;

[c] the petitioner shall not abscond during during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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G.K.ILANTHIRAIYAN, J.

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[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 Kerala [(2005)AIR SCW 5560]***;

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

14.07.2025

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To

1. The Judicial Magistrate, Cheyyar
2. The Sub- Inspector of Police,
Dusi Police Station,
Thiruvannamalai District
3. The Public Prosecutor,
High Court, Madras.

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