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Crl.O.P.No.18619 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

Crl.O.P.No.18619 of 2025

1. Nagaraj
2. Venkatesan

... Petitioners

Vs.

State represented by,
The Sub- Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai District
(Crime No. 287 of 2025)

... Respondent

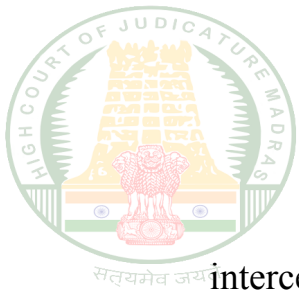
PRAYER : Criminal Original Petition has been filed under Section 482 of BNSS to enlarge the petitioners on bail in the event of their arrest in Crime No. 287 of 2025 on the file of the respondent Police.

For Petitioners : Mr.A.Anbharasu

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

ORDER

The petitioners, who apprehend 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(5) of Mines and Minerals (Development and Regulation Act, 1957) in Crime No. 287 of 2025 on the file of the respondent police, seeks anticipatory bail.



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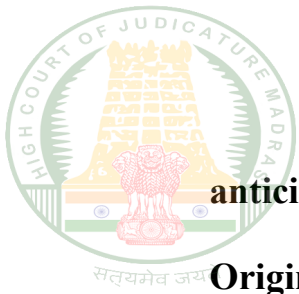
2. The case of the prosecution is that when the respondent police intercepted the lorry and found that the petitioners had illegally transported 2 unit of river sand without any permit. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He submits that they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready to abide any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioners. He also submits that there are seven previous cases pending against A1 and no previous case is pending against A2.

5. Heard the learned counsel appearing for the petitioners 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, considering the fact that there are seven previous cases pending against 1st petitioner/A1, **this Court is not inclined to grant**



anticipatory bail to the 1st petitioner. Accordingly, this Criminal Original Petition stands dismissed in respect of 1st petitioner.

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However, this Court is inclined to grant anticipatory bail to the 2nd petitioner with certain conditions.

7. Accordingly, the 2nd petitioner shall deposit a sum of Rs.30,000/- (Rupees thirty thousand only) as non-refundable deposit by way of Demand Draft to the **Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram** and on such deposit and production of proof, the 2nd 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 2nd petitioner shall report before the



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respondent Police everyday at 10.30.a.m., for a period of two weeks and thereafter, as and when required for interrogation;

[c] the 2nd petitioner shall not abscond during during investigation or trial;

[d] the 2nd petitioner shall not tamper with evidence or witness 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 2nd petitioner in accordance with law as if the conditions have been imposed and the 2nd 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.

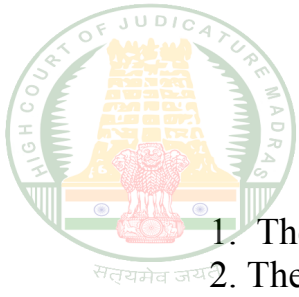
14.07.2025

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G.K.ILANTHIRAIYAN, J.

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To



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

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