



CrI.O.P.No.18367 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

CORAM:

THE HON'BLE MR.JUSTICE G.K. ILANTHIRAIYAN

CrI.O.P.No.18367 of 2025

1. Duvuru Vijay Sekar Reddy
2. Katam Reddy Ramesh Reddy

... Petitioners

Versus

State Rep. By: The Inspector of Police,
F-3 Arambakkam Thiruvallur District.
(Cr.No.85 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.85 of 2025 on the file of respondent Police.

For Petitioners : Mr.P.Senthil

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2), 326(a) of BNS in Crime No.85 of 2025, on the file of the respondent



Police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioners were found in illegal possession of 1 Unit of river sand each. Hence, the case.

3. The learned counsel appearing for the petitioners submit that the petitioners are innocent persons and has not committed any offence as alleged by the prosecution. He further submits that the petitioners are ready to abide any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the quantity of river sand involved is 1 Unit each. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. In view of the rehabilitation undertaken under the Tamil Nadu District Mineral Foundation Rules, 2017, and in order to curb the illegal sand mining activities, this Court is of the opinion that the petitioners are directed to deposit a sum of Rs.15,000/- each (Rupees Fifteen Thousand

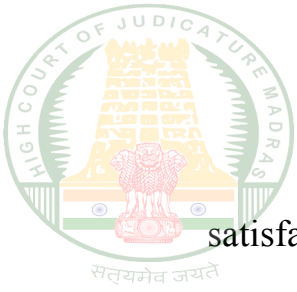


only) as non refundable deposit to the credit of the concerned District Mineral Foundation Trust, without prejudice to their rights and contentions before the trial Court.

6. Merely, because the petitioners have deposited the said amount, it would not amount to admission of their guilt. Therefore, it is open to the trial Court to deal with the case independently.

7. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are to deposit a sum of Rs.15,000/- each (Rupees Fifteen Thousand only) as non refundable deposit to the credit of the concerned District Mineral Foundation Trust and on such deposit, the petitioners are 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 District Munsif cum Judicial Magistrate, Gummidipoondi, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the



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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 petitioners 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 petitioners shall deposit a sum of Rs.15,000/- each (Rupees Fifteen Thousand only) as non refundable deposit to the credit of the concerned District Mineral Foundation Trust;

[c] the petitioners shall report before the respondent Police everyday at 10.30 a.m. for a period of two (2) weeks and thereafter, as and when required for interrogation;

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

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in



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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];

[g] 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 District Munsif cum Judicial Magistrate, Gummidipoondi
2. The Inspector of Police,
F-3 Arambakkam Thiruvallur District.
3. The Public Prosecutor,
High Court, Madras.



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G.K. ILANTHIRAIYAN, J.

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