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CrI.O.P.No.18635 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.18635 of 2025

Manikandan

... Petitioner

Versus

The State Represented by
Inspector of Police,
Deevattipatti Police Station,
Salem District.
(Cr.No.269 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 arrest in connection with Crime No.269 of 2025 on the file of respondent Police.

For Petitioner : Mr.M.Vinoth

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable u/s Section 21(1) of Mines



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and Minerals (Development & Regulation) Act, 1957 and Section 303(2)

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of BNS Act, 2023, in Crime No.269 of 2025, on the file of the respondent

Police, seeks anticipatory bail.

2. The case of the prosecution is that on 13.06.2025, a JCB bearing Regn.No.TN-30-CY-2372 was alleged to have been used for illegal sand mining of gravel sand. Hence, the case.

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

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the case of the prosecution and vehemently 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.

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6. 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 Court, Omalur**, 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 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 as and when required for interrogation;

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

[d] the petitioner shall not tamper with evidence



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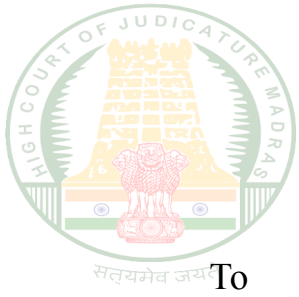
or witness either during investigation or trial;

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

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To
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- 1.The Judicial Magistrate Court,
Omalur.
- 2.The Inspector of Police,
Deevattipatti Police Station,
Salem District.
- 3.The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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