

Crl.O.P.No.19023 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19023 of 2025

1.Sunilkumar

2.S.Ramesh

3.Santhosh

.. Petitioners/A1 to A3

Vs.

The Sub-Inspector of Police,
Vellore Taluk Police Station,
Vellore District.
(Crime No.130 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest by the respondent police in Crime No.130 of 2025 pending on the file of the respondent police.

For Petitioners : Mr.R.Thangavel

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



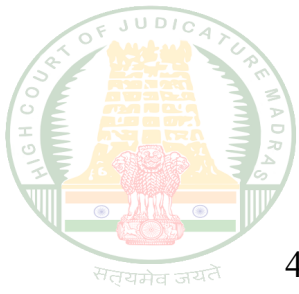
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ORDER

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2. The case of the prosecution is that A1 is the owner of the JCB vehicle, A2 is the driver of the tipper lorry and A3 is the operator of JCB vehicle. On receiving secret information, the de facto complainant went near Guruvampalayam Village, where the petitioners were attempting to extract red sand using a JCB and tipper lorry. Upon seeing the mining officials, the petitioners ran away, leaving their vehicles behind. Hence, the case.

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



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4. Learned Government Advocate (Crl.Side) appearing for the respondent Police while opposing the grant of anticipatory bail to the petitioners reiterated the prosecution case.

5. Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate-I, Vellore**, on condition that the petitioners 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, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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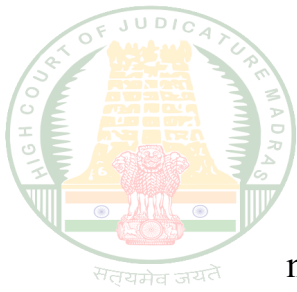
[a] if the petitioners fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] 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;

[c] The 1st petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand Only). The 2nd and 3rd petitioners shall deposit a sum of Rs.25,000/- (Rupees Twenty-Five Thousand Only) (Non refundable) towards the account of SRI RAMACHANDRA INSTITUTE OF HIGHER EDUCATION AND RESEARCH, Current Account maintained at Indian Bank, SRU Branch, Porur, Chennai-600 116, bearing Current Account No.471533180, IFSC Code No.IDIB000S180 and to produce the Bank Challan, and shall produce the proof of payment before the learned Magistrate concerned at the time of executing the sureties;

[d] the petitioners shall report before the respondent Police for a period of two weeks and thereafter, as and when required for further interrogation;

[e] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall



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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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M.NIRMAL KUMAR, J.

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To

- 1.The Judicial Magistrate-I,
Vellore.
- 2.The Sub-Inspector of Police,
Vellore Taluk Police Station,
Vellore District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.

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