



Crl.O.P.No.18861 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18861 of 2025

1. Selva Kumar

2. Indhumathi

... Petitioners

Vs.

The State rep. by
Inspector of Police,
Kandamangalam Police Station,
Villupuram District.
(Crime No.174 of 2025)

... Respondent

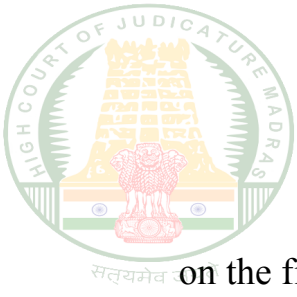
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory
bail in the event of arrest in connection with Crime No.174 of 2025 on the
file of respondent Police.

For Petitioners : M/s.S.Dhilipan

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 under Sections 4A(1), 21(1) of Mines &
Minerals [Development & Regulation] Act, 1957 in Crime No.174 of 2025,



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on the file of the respondent, seek anticipatory bail.
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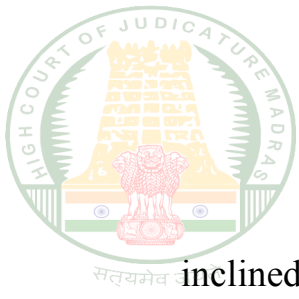
2. The case of the prosecution is that the petitioners were found in illegal transportation of 3 units of red sand. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further, on instruction, submitted that without prejudice to defence, the petitioners are prepared to deposit considerable amount to any charitable Organization or Association. Hence, he prayed for grant of anticipatory bail.

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

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side, this Court is



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inclined to grant anticipatory bail to the petitioners with certain conditions.
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7. Accordingly, the petitioners are directed to deposit a sum of **Rs.25,000/-** each [**Rupees Twenty Five Thousand Only**] as non-refundable deposit directly to the credit of “**Gummudipoondi Bar Association in A/c.No.69630200003639, IFSC Code:BARB0VJGUMM, Bank of Baroda Gummudipoondi Branch,** without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, the petitioners are ordered to be released on anticipatory bail on his executing a separate 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 learned **Judicial Magistrate No.II, Villupuram** and on further conditions that:

[a] if the petitioners fail 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 Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;



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

[d] the petitioners shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[f] 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, they shall comply to the directions as may be given by the Court in this regard;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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**



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Kerala [(2005)13 SCC 283];

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

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RAP

To

- 1.The Judicial Magistrate, No.II, Villupuram
- 2.The Inspector of Police,
Kandamangalam Police Station,
Villupuram District.
- 3.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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