



CRL OP NO.19119 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **01-08-2025**

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THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CRL OP NO.19119 of 2025

Suresh Kumar

Petitioner(s)

Vs

The State rep by

The Inspector of police
Bangayam Police Station,

Vellore District.

(Crime no.138 of 2025)

Respondent(s)

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 Crime No.138 of 2025 on the file of the respondent police.

For Petitioner(s):

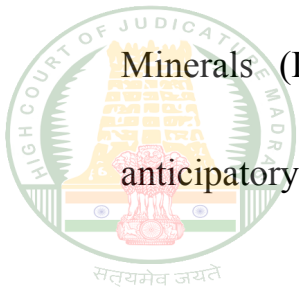
Mr.Thangavel M R

For Respondent(s):

Mr.Leonard Arul Joseph Selvam
Government Advocate (Criminal side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303 (2) and 326 (a) of BNS Act, and Section 21 (l) of Mines and



anticipatory bail.

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2. The case of the prosecution is that the petitioner was found in illegal transportation clay sand without valid permit. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. The petitioner, without prejudice to his defense is ready and willing to deposit an amount of Rs.15,000/- (Rupees Fifteen Thousand only) as non-refundable deposit to any welfare scheme of the Government or any other organization. Hence, sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, the fact that the petitioner has come forward to deposit an amount of Rs.15,000/- (Rupees Fifteen Thousand only) as non-



refundable deposit to any welfare scheme of the Government or any other org 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 shall deposit a sum of **Rs.15,000/-** (Rupees Fifteen Thousand only) as non refundable deposit **to the credit of the Madras Advocate Cooperative Society Limited, Madras in Account No.484022647, Indian Bank, Madras High Court Branch, Madras**, and on such deposit, 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 No.1, Vellore** 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] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall deposit a sum of **Rs.15,000/-** (Rupees Fifteen Thousand only) as non refundable deposit **to the credit of the Madras Advocate Cooperative Society Limited, Madras in Account No.484022647, Indian Bank, Madras High Court Branch, Madras**,



[c] the petitioner shall report before the respondent Police daily at 10.

for a period of two weeks; thereafter as and when required for interrogation;

[d] 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;

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

[f] the petitioner shall make himself available for interrogation by a Police office as and when required;

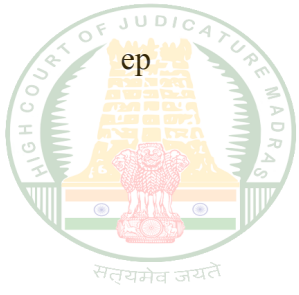
[g] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[h] the petitioner 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 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];

[j] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

01-08-2025



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To

1.The Inspector of police
Bangayam Police Station,

Vellore District.

2.The Judicial Magistrate No.1,

Vellore

3.The Public Prosecutor

Madras High Court.

M.NIRMAL KUMAR, J.

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