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Crl.O.P.No.19272 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2025

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THE HONOURABLE Dr. JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.19272 of 2025

Pushparaj, M/28 years

S/o Tamilselvan

No.21, Anna Street

Nehru Nagar

Cheyyar, Tiruvannamalai District

Tamilnadu 604407.

.. Petitioner/Accused-1/Lorry owner

/versus/

State by:

The Sub-Inspector of Police,

Cheyyar Police Station,

Thiruvannamalai District.

(Crime No.315 of 2025)

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant anticipatory bail to the petitioner in the event of the arrest of petitioner by police for the reasons stated in the petition, in connection with the case in Crime No.315 of 2025 on the file of the respondent police.

For Petitioner :Mr.A.Anbharasu

For Respondent :Mr.L.Baskaran
Govt.Advocate (Crl.Side)



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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offence punishable under Sections 303(2) and 326(a) of Bharatiya Nyaya Sanhita (BNS) (which can be compared to Sections 378 & 430 of Indian Penal Code) and Section 21(5) of Mines and minerals (Development and Regulation) Act, 1957 in Crime No.315 of 2015 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the owner and he is alleged to have transported two units of river sand without valid permit.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case.



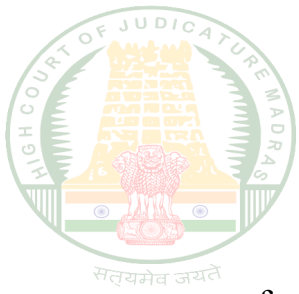
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4.The learned Government Advocate (Crl.Side) states that the petitioner is alleged to have illegally transported two units of river sand without valid permit and the entire contraband has been seized. He further submitted that the investigation is pending.

5.Considering the facts and circumstances of the case and taking note of the fact that the contraband has been seized, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, **on or before 28.08.2025 before the learned Judicial Magistrate, Cheyyar**, on condition that **the petitioner shall execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand only)** with two sureties, each for a likesum 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



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on further condition:

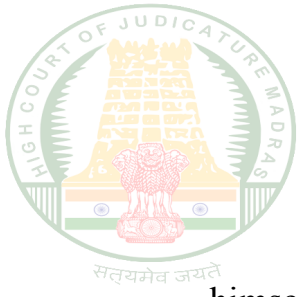
(a)the petitioner shall deposit a sum of Rs.25,000/- (Rupees twenty five thousand only) to the credit of Crime No.315 of 2025 on the file of the Judicial Magistrate, Cheyyar, on or before 28.08.2025;

(b)If the petitioner fails to surrender before the concerned Magistrate on or before 28.08.2025, this order shall stand automatically cancelled;

(c)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 identify proofs to ensure their identity;

(d)The petitioner shall report before the respondent police daily at 10.30a.m., until further orders;

(e)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court



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himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(f) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

18.08.2025

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To

- 1.The Judicial Magistrate, Cheyyar.
- 2.The Sub Inspector of Police, Cheyyar Police Station, Thiruvannamalai District.
- 3.The Public Prosecutor, High Court, Madras.



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DR.G.JAYACHANDRAN,J.

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