



Crl.O.P.No.19346 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.19346 of 2025

1.Vennilavan, A/32 Years,
S/o.Arumugam,

2. Arumugam, A/60 years
S/o.Veerassamy,
Both of them are residing at
No.9, Lake Street,
T K Mandapam Village,
T.Keeranur, Villupuram

... Petitioners/Accused 1 & 4

Vs.

The State Rep. by its
The Sub-Inspector of Police,
Thirukoilur Police Station,
Kallakurichi District.
(Crime No.383 of 2025).

...Complainant/Respondent

Prayer: Criminal Original Petition filed under Section 482 of *Bharatiya Nagarik Suraksha Sanhita*, 2023, pleaded to enlarge the petitioners on bail in the event of their arrest in Crime No.383 of 2025 on the file of the respondent police.

For Petitioners : Mr.R.Raji

For Respondent : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)



Crl.O.P.No.19346 of 2025

ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police, for the alleged offences punishable under Sections 303(2), 132 of BNS 2023 read with 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.383 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 01.07.2025, based on secret information, the respondent police went on patrol and found the second accused loading “வண்டல்” sand into a tipper lorry (TN 88 L 4360) using a JCB without a valid government permit. The second and third accused were arrested at the scene of occurrence and Crime No.383 of 2025 was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl.Side) states that the petitioners are alleged to have illegally transported two units of gravel sand without valid permit. He further submitted that the investigation is pending.



Crl.O.P.No.19346 of 2025

WEB COPY

5. In view of the above facts, 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 his arrest or on his appearance, **on or before 28.08.2025 before the learned Judicial Magistrate, Thirukoilur**, on condition that **the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** each 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 on further condition:

(a)the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten thousand only) each to the credit of Crime No.383 of 2025 on the file of the Judicial Magistrate, Thirukoilur, on or before 28.08.2025;

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



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CrI.O.P.No.19346 of 2025

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 petitioners shall report before the respondent police daily at 10.30 a.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 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

bsm

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

4/6



CrI.O.P.No.19346 of 2025

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To,

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



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Crl.O.P.No.19346 of 2025

Dr.G.JAYACHANDRAN, J.

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Crl.O.P.No.19346 of 2025

18.08.2025