



Crl.O.P.No.19470 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2025

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THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19470 of 2025

Vasanth Kumar

... Petitioner

Vs.

State rep by
Inspector of Police
Villupuram Taluk Police Station
Villupuram District.
Crime No. 73 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on anticipatory bail in the event of his arrest pending investigation in Crime No. 73 of 2025 on the file of the Inspector of Police, Villupuram Taluk Police Station, Villupuram District.

For Petitioner : Mr. C.Ganesh Pandian

For Respondent : Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2), 326 of BNS, 2023 in Crime No. 73 of 2025, on the file of the respondent police, seek anticipatory bail.



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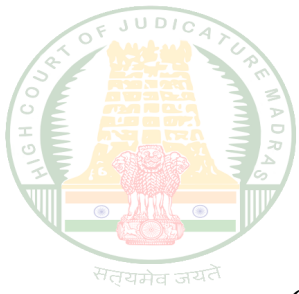
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2. The case of the prosecution is that on 01.02.2025, when the respondent police was in regular patrol duty, the petitioner was illegally transported 1/ 2 unit of river sand in a vehicle bearing registration No.TN 25 BX 1631 without any valid permit. Hence, the case.

3. The learned counsel for the petitioner would submit 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.10,000/- (Rupees Ten 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 Additional Public Prosecutor appearing for the respondent police, reiterated the prosecution case and submitted that petitioner had illegally transported ½ unit of river sand. He submits that no previous case is pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent Police and perused the materials available on record.



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6. Considering the facts and circumstances of the case, the fact that the petitioner has come forward to deposit an amount of Rs.10,000/- (Rupees Ten Thousand only) as non-refundable deposit to any welfare scheme of the Government or any other organization, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner shall deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only) (Non refundable) to the credit of “ Gummidipoondi Bar Association in Account No.69630200003639, Bank of Baroda, Gummidipoondi Branch, IFSC Code: BARBOVJGUMM,"** 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-I, Villupuram** 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;



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[b] the petitioner shall deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only) (Non refundable)** to the credit of the **Gummidipoondi Bar Association** in **Account No.69630200003639, Bank of Baroda, Gummidipoondi Branch, IFSC Code: BARBOVJGUMM'**.

[c] the petitioner shall report before the respondent **Police daily at 10.30 a.m 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;

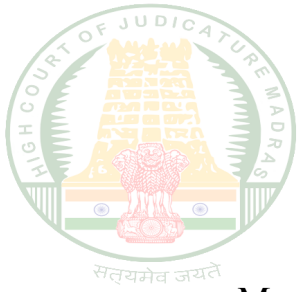
[e] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[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



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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.

07.08.2025

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To

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

M.NIRMAL KUMAR, J.



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