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Crl.OP.No.19950 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **08.09.2025**

CORAM

THE HONOURABLE **MRS. JUSTICE T.V.THAMILSELVI**

CRL.O.P.No.19950 of 2025

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... Petitioner

-VS-

State rep. by
The Inspector of Police,
Valavanur Police Station,
Villupuram District.
(Crime No.310 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS Act, 2023, to enlarge the petitioner on anticipatory bail in the event of arrest in Crime No.310 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.Muruganandham

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

ORDER



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The petitioner, who was arrested for the alleged offence under Sections 303(2), 326(a) of BNS, 2023 in Crime No.310 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of prosecution is that on 21.06.2025 the petitioner seized 1 unit of river sand in Ashok Leyland tipper lorry bearing No. TN69AW0367 without proper permission. Hence this case.

3. The learned counsel appearing for petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner seized 1 unit of river sand without any permits and no previous case pending against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances and considering the period



of incarceration undergone by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is directed to **deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as non-refundable deposit to the credit of registered Advocates Clerks Association at Villupuram**, and on such deposit, the petitioner is ordered to be released on bail on executing separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate No.II, Villupuram*, and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police on every Tuesday at 10.30 a.m. for the period of eight weeks.

(c) the petitioner shall not tamper with evidence or



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witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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Note :

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



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this Court will be watermarked and will also have a QR code.

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To

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

T.V.THAMILSELVI, J.



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