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CRL OP No. 21056 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 21056 of 2025

P.Govinthasami

Petitioner(s)

Vs

The State by, Inspector of Police
Tharamangalam Police Station, Salem
District. Crime No.411 of 2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of BNSS Act, 2023, to enlarge the petitioner on bail in the event of their arrest by the respondent police in Crime No.411 of 2025 pending investigation on the file of Inspector of Police, Tharamangalam Police Station, Salem.

For Petitioner(s): Saravanan A

For Respondent(s): Mr.S.Udayakumar
Government Advocate (crl.side)

**ORDER**

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The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 21(1) of Mines and Minerals (Development and Regulations) Act 1957 and Section 303(2) of BNS Act, 2023, in Crime No.411 of 2025 on the file of respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner illegally transported 4 units of red soil without any valid licence by using a tipper Lorry. Hence, this case.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. However, on instructions he would further submit that without prejudice to his right and contentions, the petitioner is prepared to deposit/pay some considerable amount as may be directed by this court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent submitted that the petitioner without any valid permit, illegally transported four units of red soil by using a tipper Lorry. However, he submitted



that there is no previous case against the petitioner.

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5. Considering the above facts and circumstances of the case and also of the fact that there is no previous case against the petitioner, 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 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, Omalur** on condition that **the petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen thousand only) as non-refundable deposit to the credit of the registered Advocate Clerks Association, Salem, within a period of two weeks from the date on which the order copy made ready** and the petitioner shall also execute a bonds 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] the petitioner and the sureties shall affix their



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photographs and Left Thumb Impression in the surety bond and the

Magistrate may obtain a copy of their Aadhar card or Bank pass

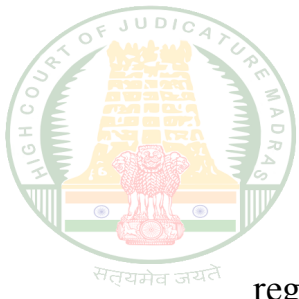
Book to ensure their identity.

[b] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m. for the period of eight weeks.

[c] the petitioner shall not tamper with evidence or 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]**.



[f] If the accused thereafter absconds, a fresh FIR can be

registered under Section 269 of BNS.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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



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To
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1. The State by, Inspector of Police
Tharamangalam Police Station, Salem
District. Crime No.411 of 2025.
2. The Judicial Magistrate, Omalur.
3. The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI J.
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