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Crl.OP.No.21299 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2025

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.21299 of 2025

Dharmaraj

... Petitioner

Vs.

State rep by
The Inspector of Police,
F-1, Gummidipoondi Police Station,
Thiruvallur District.
(Cr.No.171 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in connection with Cr.No.171 of 2025 on the file respondent police.

For Petitioner : Mr.P.Senthil

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

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) and 326(a) of BNS r/w Section 21(1) of TNMMDR Act in Crime No.171 of 2025, on the file of



the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that on 07.07.2025 while the respondent police was conducting a vehicle checkup near GNT Road, Periyar Nagar, Gummidipoondi, the petitioner along with other accused were illegally transporting 6 unit of river sand in a vehicle bearing registration No.TN-12-M-1177. Hence, the case.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution and based on the confession statement of co-accused, he has been arrayed as an accused. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is arrayed as A1. He is the owner of the vehicle. He further



submitted that the co-accused were arrested and released on bail and there are no previous cases pending against the petitioner.

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5. Considering the facts and circumstances of the case and also considering the fact that there are no previous cases pending against the petitioner, arrested accused are released on bail, 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 ***District Munsif cum Judicial Magistrate, Gummidipoondi***, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties** each for a like sum 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 concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, this order shall stand automatically cancelled;



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[b] 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 the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police everyday at 10.00 a.m., for a period of two weeks and thereafter as and when required for the interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

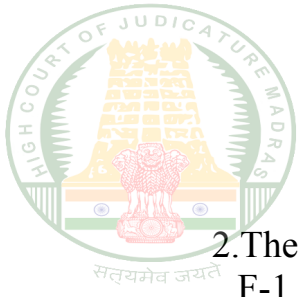
18.09.2025

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To

1.The District Munsif -cum- Judicial Magistrate, Gummidipoondi.

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2. The Inspector of Police,
F-1, Gummidipoondi Police Station,
Thiruvallur District.

3. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

smv



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