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CRL OP No. 21667 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 21667 of 2025

M. Moorthy

S/o. Marimuthu

Petitioner(s)

Vs

THE STATE REP BY

The Inspector of Police

Tiruvannamalai West P.S

Cr.No.45/2025

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.45/2025 pending investigation on the file of the Respondent Police.

For Petitioner(s): M/s.Mullaipoovizhi

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS read with 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.45 of 2025 on the file of respondent police, seeks anticipatory bail.



2. The case of the prosecution is that on 04.03.2025, the petitioner along with other accused illegally transported 3 units of Morambu Sand 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 instruction 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 and he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police raised objections by reiterating the prosecution case. However, he submitted that there is no previous case against the petitioner.

5. Considering the above facts and circumstances of the case and 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



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which the order copy made ready, before the learned Judicial Magistrate-II, Tiruvannamalai, on condition that the petitioner shall deposit a sum of **Rs.20,000/- (Rupees twenty thousand only)** as non-refundable deposit to the credit of **Society for the Educational and Economic Development (SEED)** Reg., Sriperumbudur, Account Name: SEED, A/c.No.2926101000002, Canara Bank, Sriperumbudur, IFSC: CNRB0002926, Cell No.9944812053 and the petitioner shall also 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] the petitioner and 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 Saturday at 10.30 a.m. for the period of eight weeks and thereafter as and when required for interrogation.



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[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 petitioner 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



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To
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1. The Judicial Magistrate-II
Tiruvannamalai
2. The Inspector of Police
Tiruvannamalai West P.S
3. The Public Prosecutor
High Court of Madras, Chennai



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T.V.THAMILSELVI J.

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