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CRL OP No. 21802 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. 21802 of 2025

Sudhakar,
S/o. Palani, No.88, Kuyavar Street,
Brammadesam PO, Thiruvannamalai
District -632511.

Petitioner(s)

Vs

1. State Rep by,
The Inspector of Police,
Brammadesam police Station,
Thiruvannamalai District.
(Crime No. 138/2025)

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest in connection with crime No. 138/2025 on the file of the Respondent police.

For Petitioner(s): Mr.Appaswamee VR

For Respondent(s): Mr.S.Udayakumar

Government Advocate (Crl. Side)



ORDER

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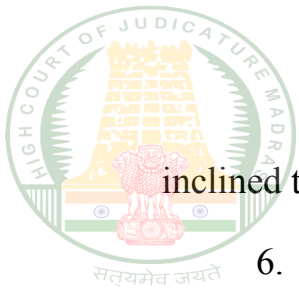
The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) and 326(a) of BNS, 2023 read with 21(5) of Mines and Minerals (Development and Regulation) Act in Crime No.138 of 2025 on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 27.07.2025, when the respondent police engaged in patrol duty, found a lorry bearing Regn.No.TM-22-AJ-1159 with 3 units of river sand and on seeing the police, the driver of the lorry escaped from the spot. On enquiry, it was found that the petitioner is the owner of the 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 since he is the owner of the vehicle. 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 police opposed for the grant of anticipatory bail to the petitioner by reiterating the prosecution case. He further submitted that there are 4 previous case against the petitioner.

5. Considering the above facts and circumstances of the case, 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, Cheyyar** on condition that **the petitioner shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) as non-refundable deposit to the credit of Dhanabakkiammal Social Welfare Trust, D-3, 1/338, Vasantham Apartment, Sabari Salai, Madipakkam, Chennai-91** 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.**

[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.

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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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
Cheyyar

2. The Inspector of Police,
Brammadesam police Station,
Thiruvannamalai District.

3. The Public Prosecutor
High Court of Madras, Chennai



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T.V.THAMILSELVI J.

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