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CRL OP No. 21971 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 21971 of 2025

1. K.Suresh
S/o. Kumara Swami

2.A.S.Sudhakar
S/o.L Srinivasulu,

Petitioner(s)

Vs

State rep. by, Sub Inspector of Police,
Gudiyatham Taluk Police Station,
Vellore District.
(Crime No. 163 of 2025)

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS to enlarge the Petitioners on bail in the event of their arrest in connection with Crime No. 163 of 2025 on the file of respondent Police.

For Petitioner(s): Mr.Tamilselvan A

For Respondent(s): Mr.S.Udayakumar

Government Advocate (Crl. Side)

**ORDER**

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS, 2023 (Section 379 of IPC) read with Section 21(1) of Mines and Minerals (Development and Regulation) Act in Crime No.163 of 2025 on the file of respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 07.07.2025, when the respondent police along with his team were engaged in patrolling duty, found an Ashok Leyland vehicle bearing Regn. No.KA 53 AB 2717 illegally transporting ordinary stones weighing approximately 31,500 kgs. without any valid permit and on seeing the police party, the driver of the vehicle escaped from the spot. Hence, this case.

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

4. The learned Government Advocate (Crl. Side) appearing for respondent police opposed for the grant of anticipatory bail to the petitioners by



reiterating the prosecution case. However, he submitted that there is no previous case against the petitioners.

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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 petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Gudiyatham** on condition that **the petitioners shall deposit a sum of Rs.10,000/- each (Rupees Ten Thousand each) as non-refundable deposit to the credit of Registered Advocate Clerks Association, Vellore**, and the petitioners shall also execute a separate 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 petitioners 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

11-09-2025

ksa-2

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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1. The Judicial Magistrate
Gudiyatham

2. The Sub Inspector of Police,
Gudiyatham Taluk Police Station,
Vellore District.

3. The Public Prosecutor
High Court of Madras, Chennai



WEB COPY

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T.V.THAMILSELVI J.

ksa-2

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11-09-2025