



Crl.O.P.No.22341 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2025

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THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.22341 of 2025

Sanmugam, (M/30), (A7)
S/o. Arumugam,
No.317, North Street,
Vaniyankuppam, Perumbakkam,
Villupuram, Tamil Nadu - 607204.

... Petitioner/7th Accused

Vs.

The State Represented by its
Inspector of Police,
Thirunavallur Police Station,
Kallakuruchi District.
Crime No.70 of 2025

...Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 448 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of arrest at the hands of the Respondent Police in Crime No.70 of 2025,
pending on the file of the Inspector of Police, Thirunavallur Police Station,
Kallakuruchi District.

For Petitioner : M/s.I.Hemnaag

For Respondent : Mr.S.Udaya Kumar.
Government Advocate (Crl. Side)



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ORDER

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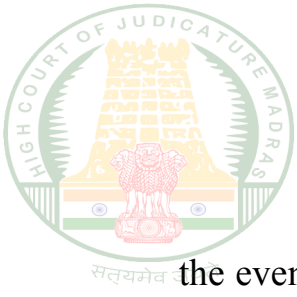
The petitioner/A7, who apprehends arrest at the hands of the respondent police, for the alleged offences punishable under Sections 303(2) of BNS read with Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.70 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is alleged to have transported quarter unit river sand by bullock cart without valid permit.

3.The learned Government Advocate (Crl.Side) submitted that the contraband has been seized and there is no previous case against the petitioner.

4.Considering the nature of the case and the fact that the entire contraband has been seized, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in



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the event of his arrest or on his appearance, **on or before 21.08.2025 before the learned Judicial Magistrate No.II, Ulundurpet, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only)** with two sureties, each for a likesum 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:

(a)If the petitioner fails to surrender before the concerned Magistrate on or before 21.08.2025, this Order shall stand automatically cancelled;

(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 identify proofs to ensure their identity;

(c)The petitioner shall report before the respondent police as and when required for interrogation;

(d)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed



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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 v. State of Kerala [(2005) AIR SCW 5560];***

(e)If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

12.08.2025

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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.

To

- 1.The Judicial Magistrate, No.II, Ulundurpet.
- 2.The Inspector of Police, Thirunavallur Police Station, Kallakuruchi District.
- 3.The Public Prosecutor, High Court of Madras.



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Dr.G.JAYACHANDRAN, J.
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