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Crl.O.P.No.22695 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22695 of 2025

1.S.Manikandan
2.A. Ayyappan
3. Shangmugam

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
Crime No.70 of 2025

... Respondent

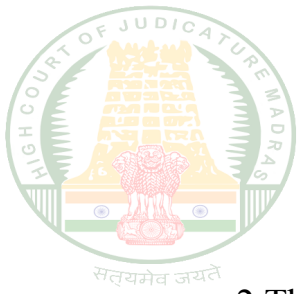
PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of arrest in connection with Crime No.70 of 2025 on the file of respondent Police.

For Petitioners : M/s.Krishnasamychinnasamy

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section **303 (2) of BNS read with Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957**, in Crime No.70 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that, the petitioners have illegally transported 1/4 unit of river sand. Hence, the case.

3. The learned counsel appearing for the petitioners states that the petitioners have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsels and perused the materials available on record.

6. Considering the facts and circumstances of the case and the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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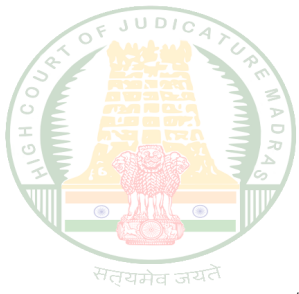
7. Accordingly, the petitioners are directed to deposit a sum of **Rs.5,000/- [Rupees Five Thousand Only] each** to the credit of Crime No.70 of 2025 before the trial Court, on such deposit and production of proof, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, **on or before 24.08.2025**, before the learned **Judicial Magistrate No.2, Ulundurpet** on condition that the petitioners shall execute separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioners fails to surrender before the concerned Magistrate on or before **24.08.2025**, 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 the identity proofs to ensure their identity;

[c] the petitioners shall report before the respondent police as and when required for interrogation;

[d] On breach of any of the aforementioned conditions,



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the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

14.08.2025

sma

To

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

Dr.G.JAYACHANDRAN, J.



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