

Crl.O.P.No.22548 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22548 of 2025

1.Lamech Inbaraj
2.Parthasarathy
3.Venkatesan
4.Ramachandran

... Petitioners

Vs.

The State rep by,
The Inspector of Police,
Periyapalayam Police Station,
Tiruvallur District.
(Crime No.220 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.220 of 2025 on the file of respondent Police.

For Petitioners : Mr.K.Karthik
For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)

ORDER



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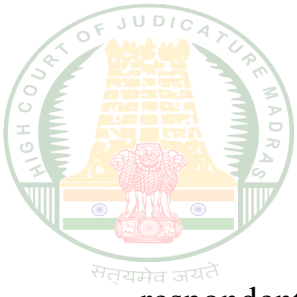
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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections **326(a) & 303(2) of BNS, 2023**, in Crime No.220 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. On a complaint given by the Village Administrative Officer alleging that the petitioners have excavated sand from a place not permitted and a case has been registered. The complainant states that sand in three tractors were transported and stored in an un-notified area.

3. The learned counsel appearing for the petitioners states that the first petitioner is the owner of the property and he has collected sand for constructing house in his land. He has removed savudu sand from his own land and there is no element of theft of mineral. He further submitted that the petitioners are innocent persons and they had been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the



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respondent police states that there is no previous case against the petitioners.

Hence, opposed for grant of anticipatory bail to the petitioners.

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

6. Considering the nature of complaint, this Court is of the view that the petitioners have not fallen under any adverse notice of the police, hence this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, **on or before 21.08.2025**, before the learned **District Munsif-cum-Judicial Magistrate Court, Uthukottai**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each 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] if the petitioners fail to surrender before the concerned Magistrate on or before 21.08.2025, this Order shall stand automatically cancelled;



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[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] the petitioners shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] On breach of any of the aforementioned conditions, 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];**



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

13.08.2025

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To

1.The District Munsif-cum-Judicial Magistrate Court,
Uthukottai.

2.The Inspector of Police,
Periyapalayam Police Station,
Tiruvallur District.
(Crime No.220 of 2025)

3.The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.

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