



Crl.O.P.No.22667 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22667 of 2025

E.Kumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Thirupapuliyur Police Station,
Cuddalore District.
Crime No.280 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of
arrest in connection with Crime No.280 of 2025 on the file of respondent Police.

For Petitioner : M/s.Vishwanth S C

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police
for the offences punishable under Section **303 (2), 326(a) of BNS read with
Section 21(1) Mines and Minerals (Development & Regulation) Act**, in Crime
No.280 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 petitioner had illegally transported 1/4 unit of river sand in a Bullock Cart. Hence, the case.

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

4. The learned Government Advocate (Criminal Side) reiterated the prosecution case and opposed for grant of bail to the petitioner.

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 petitioner with certain conditions.



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7. Accordingly, the petitioner is directed to deposit a sum of **Rs.10,000/- [Rupees Ten Thousand Only]** to the credit of Crime No.280 of 2025 before the trial Court, on such deposit and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, **on or before 23.08.2025**, before the learned **Judicial Magistrate No.III, Cuddalore** on condition that the petitioner shall execute a 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 petitioner fails to surrender before the concerned Magistrate on or before **23.08.2025**, 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 petitioner shall report before the respondent police as and when required for interrogation;



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[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)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

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To

- 1.The Judicial Magistrate No.III,
Cuddalore.
- 2.The Inspector of Police,
Thirupapuliyur Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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