



Crl.O.P.No.22582 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.22582 of 2025

Asif Khan

... Petitioner

Vs.

The State rep by,
The Inspector of Police,
Vellore Taluk Police Station
Vellore District.
(Crime No.144 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.144 of 2025 on the file of respondent Police.

For Petitioner : Mr.G.P.Sivakumar
For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)



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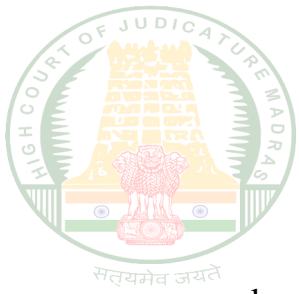
ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections **303(2) & 326 of BNS, 2023**, in Crime No.144 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The defacto complainant is the Assistant Geologist of Geology and Mining Department. According to the complainant, lorry carrying white block stone was intercepted and found that it is transported without any valid permit and thereby, provisions of Mines and Mineral is violated. According to the complaint, the five units of stone seized along with the vehicle.

3. The learned counsel appearing for the petitioner states that the First Information Report has been registered for offence under Sections 303(2) and 326 of BNS Act. Consciously the complainant though the Officer of the Geology and Mining Department had not stated anything in respect of violation of Mines and Minerals Act. The petitioner is the owner-cum-driver of the vehicle, he has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

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



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respondent police while opposing for granting anticipatory bail to the petitioner,
reiterated the prosecution case

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

6. Considering the nature of the complaint and submissions made by the learned counsel appearing on either sides, this Court is inclined to grant anticipatory bail to the petitioner with conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, **on or before 21.08.2025** before the learned **Judicial Magistrate No.I, Vellore**, 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 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 petitioner fails 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 petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

[d] the petitioner 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 petitioner 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 petitioner 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 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];**



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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

dna

To

1.The Judicial Magistrate No.I, Vellore.

2.The Inspector of Police,
Vellore Taluk Police Station
Vellore District.
(Crime No.144 of 2025)

3.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.
dna

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