



Crl.O.P.No.22602 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.22602 of 2025

1.R.Jayakumar

2.T.Murugesan

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Sulur Police Station,
Coimbatore District.
Crime No.757 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.757 of 2025 on the file of respondent Police.

For Petitioners : M/s.C.Prakasam

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, 2023 and Section 21 (1) of the Mines and Minerals (Development and Regulation) Act, 1957**, in



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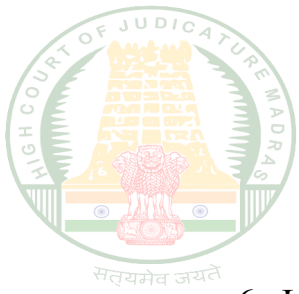
Crime No.757 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that, the petitioners have illegally transported three units of gravel 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 states that the 1st petitioner is the owner of the vehicle and the 2nd petitioner is the driver and now, 2nd petitioner had been arrested.

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



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6. In view of the fact that the 2nd petitioner arrested and remanded to judicial custody, this Criminal Original Petition is dismissed in respect of the 2nd petitioner. Considering the facts and circumstances of the case and the nature of the offence, this Court is inclined to grant anticipatory bail to the 1st petitioner with certain conditions.

7. Accordingly, the 1st petitioner is directed to deposit a sum of **Rs.15,000/- [Rupees Fifteen Thousand Only]** to the credit of Crime No.757 of 2025 before the trial Court, on such deposit and production of proof, the 1st 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 Sulur, Coimbatore** on condition that the 1st 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the 1st petitioner fails to surrender before the concerned Magistrate on or before 23.08.2025, 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 1st petitioner shall report before the respondent police as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the 1st petitioner in accordance with law as if the aforementioned conditions have been imposed and the 1st 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.

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To

- 1.The Judicial Magistrate,
Sulur, Coimbatore.
- 2.The Inspector of Police,
Sulur Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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