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Crl.O.P.No.22772 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2025

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THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22772 of 2025

1.Sekar

2.Perumal

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Sadras Police Station,
Chengalpattu District.

Crime No.132 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.132 of 2025 on the file of respondent Police.

For Petitioners : M/s.Punniakoti Ganesan

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), 326 (a) of BNS Act, 2023**, in Crime No.132 of 2025, on the file of the respondent Police, seek anticipatory bail.



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2.The case of the prosecution is that, the petitioners had transported eight bags of river sand in two bullock carts. On seeing the Police team, the petitioners abandoned the bullock carts and the river sand and fled from the scene of occurrence. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and had been falsely implicated in this case. He further submitted that custodial interrogation of the petitioners is not required. 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 there is no previous case against the petitioners. However, opposed for grant of anticipatory bail to the petitioners.

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

6.Considering the submissions made by the learned counsels appearing on



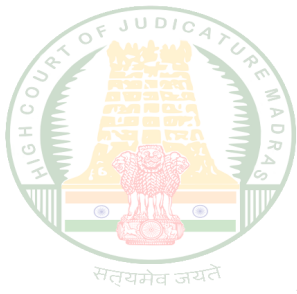
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either sides, the fact that the petitioners had no bad antecedents and since, custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are directed to deposit a sum of **Rs.10,000/- [Rupees Ten Thousand Only] each** to the credit of Crime No.132 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 28.08.2025**, before the learned **District Munsif Cum Judicial Magistrate, Thirukazhukundram**, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 fails to surrender before the concerned Magistrate on or before 28.08.2025, this Order shall stand automatically cancelled;**

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial



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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 daily at 10.00 a.m. until further orders;

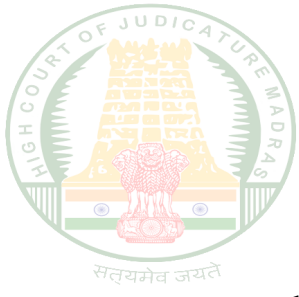
[d] the petitioners shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[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]**;

[h] If the accused thereafter absconds, a fresh FIR can be



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registered under Section 269 of B.N.S.

18.08.2025

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To

- 1.The District Munsiff cum Judicial Magistrate,
Thirukazhukundram.
- 2.The Inspector of Police,
Sadras Police Station,
Chengalpattu District.
- 3.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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