



Crl.O.P.No.22845 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22845 of 2025

Govindasamy

... Petitioner

Vs.

State rep.by
The Inspector of Police,
Mangalampet Police Station,
Cuddalore District.
(Crime No.148 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.148 of 2025 on the file of respondent Police.

For Petitioner : Mr.T.Meganathan

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 Section **303(2) of BNS, 2023 and Section 21(1) Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.148 of 2025**, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that, the petitioner has illegally excavated pond sand without any valid permit. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there is no previous case against the petitioner. Hence, opposed for grant of anticipatory bail to the petitioner.



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

6. Considering the submissions made by the learned counsel appearing on either sides and the fact that the petitioner herein has no bad antecedents, 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 28.08.2025** before the learned **Judicial Magistrate-II, Virudhachalam**, 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 and on further condition that:

(a) the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime No.148 of 2025 on the file of the Judicial Magistrate-II, Virudhachalam, on or before 28.08.2025;



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[b] if the petitioner fails to surrender before the concerned Magistrate on or before 28.08.2025, this Order shall stand automatically cancelled;

[c] 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;

[d] the petitioner shall report before the respondent police daily at 10.30.a.m., until further orders;

[e] 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]**;

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

18.08.2025

dna



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To
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1.The Judicial Magistrate-II, Virudhachalam.

2.The Inspector of Police,
Mangalampet Police Station,
Cuddalore District.
(Crime No.148 of 2025)

3.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.
dna

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