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Crl.O.P.No.22881 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22881 of 2025

Rajendran

... Petitioner

Vs.

The State Rep. by,
The Sub-Inspector of Police,
Udaryarpalayam Police Station,
Ariyalur District.
Crime No.209 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 apprehending arrest in Crime No.209 of 2025 on the file of respondent Police.

For Petitioner : Mr.T.Muruganantham

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

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Section 21(1) of Mines and Minerals



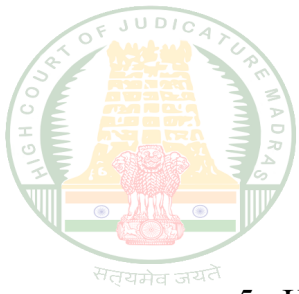
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(Development and Regulation) Act r/w 303(2) of BNS (U/S 379 of IPC), in Crime No.209 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, who is the owner of an Ashok Leyland Dhost vehicle, has used it for the illegal transport of 1/2 unit of river sand. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person, that the vehicle has been misused and that he is ready to abide by any conditions.

4. The learned Government Advocate (Crl. Side) submitted that 1/2 of river sand was loaded in the Ashok Leyland Dhost vehicle owned by the petitioner. Now, the contraband has been seized by the respondent police and they have initiated confiscation proceedings. However, he opposed the grant of anticipatory bail to the petitioner.



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

5. Considering the nature of the complaint, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of **Rs.10,000/- [Rupees Ten Thousand Only]** to the credit of Crime No.209 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 28.08.2025**, before the learned **Judicial Magistrate No.2, Jayamkondan**, 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 learned Magistrate concerned, and on further condition that:

[a] **if the petitioner fails to surrender before the said 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 Form No.46 annexed to 'The Criminal Rules of Practice,



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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;

[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.

19.08.2025

drl

To

1.The Judicial Magistrate No.2,
Jayamkondan

2.The Sub-Inspector of Police,
Udaryarpalayam Police Station,
Ariyalur District.

3. The Public Prosecutor,
High Court of Madras.

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Dr.G.JAYACHANDRAN, J.

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