



Crl.O.P.No.23032 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23032 of 2025

Mathiyazhagan

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Veppamkuppam Police Station,
Vellore District.
Crime No.253 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 by the respondent police in Crime No.253 of 2025 on the file of respondent Police.

For Petitioner : Mr.D.Thirumoorthy

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

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) and 326(a) of BNS Act



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(379 and 430 of IPC) r/w 21(1) of Mines and Minerals Act, in Crime No.253 of 2025, on the file of the respondent Police, seeks anticipatory bail.

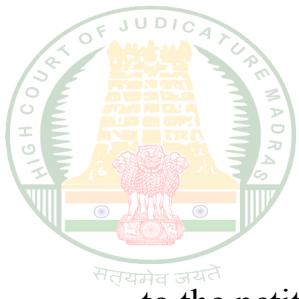
2. The case of the prosecution is that the petitioner herein is the owner cum driver of the tractor, in which one unit of river sand was alleged to have been illegally transported.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person because the tractor belonged to him, therefore the case has been registered against him.

4. The learned Government Advocate (Crl. Side) submits that the petitioner has no previous case against him.

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

6. Considering the antecedents of the petitioner and the quantum of sand alleged to have been transported, this Court is inclined to grant anticipatory bail



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to the petitioner subject to certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of **Rs.20,000/- [Rupees Twenty Thousand Only]** to the credit of Crime No.253 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, within a period of 10 (ten) days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.III, Vellore**, on condition that the 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 learned Magistrate concerned, and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, 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, 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.



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[d] 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];**

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

28.08.2025

drl

To

1.The Judicial Magistrate No.III,
Vellore.

2.The Inspector of Police,
Veppamkuppam Police Station,
Vellore District.

3. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.

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