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CRL OP No. 23266 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-08-2025

CORAM

THE HONOURABLE DR JUSTICE G. JAYACHANDRAN

CRL OP No. 23266 of 2025

1. Udhayasuriyan
2. Lakshmi
3. Murali
4. Sam Harrys
5. Murugan

....Petitioners

Vs.

State Rep. by the Inspector of Police,
T-9, Pattabiram Police Station,
Pattabiram, Chennai.
(Crime No.321 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 their arrest, pending investigation in Crime No.321 of 2025 on the file of
Inspector of Police, T-9, Pattabiram Police Station, Pattabiram, Chennai.



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For Petitioner(s): Mr.Sadagopan R

For Respondent(s): Mr.S.Udayakumar,
Government Advocate (Crl. Side)

ORDER

The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2), 326(a) of BNS and Section 21(i) of the Mines and Minerals (Development and Regulation) Act, 1957 and Rule 36(A) of the Tamil Nadu Minor Mineral Concession Rules, 1959 and the Tamil Nadu Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2011, in Crime No.321 of 2025, on the file of the respondent police, seek anticipatory bail, for alleged illegal transport of waste sand in four lorries.

2. The learned counsel for the petitioners state that for transporting waste sand, the petitioners have valid permit issued by the Deputy Tahsildar, Geology and Mining Department, Tiruvallur. Despite that for extra money, the respondent police had intercepted the vehicle and registered FIR against



unknown persons. The learned counsel for the petitioners had also annexed the permit issued by the Deputy Tahsildar as well as the letter from the TIDEL Park Limited mentioning the vehicle number for transport of minerals.

3. The learned Government Advocate appearing for the respondent police reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioners.

4. Heard the learned counsel on both sides and perused the materials available on record.

5. Considering the said fact, this Court is of the view that custodial interrogation of the petitioners are not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the



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event of arrest or on their appearance, within a period of 10 (ten) days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate Court-II, Thiruvallur** on condition that the petitioners shall execute a separate 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 petitioners failed to surrender before the concerned Magistrate, within a period of 10 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;**

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass



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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.

25-08-2025

jd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The Judicial Magistrate Court-II, Thiruvallur.
2. The Inspector of Police,
T-9, Pattabiram Police Station,
Pattabiram, Chennai.
3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN J.

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