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Crl.OP.No.23286 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23286 of 2025

Pandidurai

... Petitioner

Vs.

State rep.by
Sub Inspector of Police,
Kandili Police Station,
Tirupathur District.
(Cr.No.168 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 his arrest in Cr.No.168 of 2025 pending investigation on the file of the respondent.

For Petitioner : Mr.E.Kannadasan
For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl.Side)

ORDER



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The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 305(e) and 326(a) of BNS,2023, in Crime No.168 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein is owner-cum-driver of the tipper lorry had transported three units of river sand unauthorizedly. On seeing the respondent police, the petitioner had abandoned the vehicle and the materials and escaped from the scene of occurrence. Hence, the present petition is filed for seeking anticipatory bail.

3.The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for



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the respondent police reiterated the prosecution case and submitted that the vehicle and the materials were seized. He further submitted that necessary steps taken for confiscating the vehicle. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the nature of the crime, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.60,000/- [Rupees Sixty Thousand Only]** to the credit of Crime No.168 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 ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate-II, Thirupathur**, 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 learned Magistrate concerned, and on further



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condition that

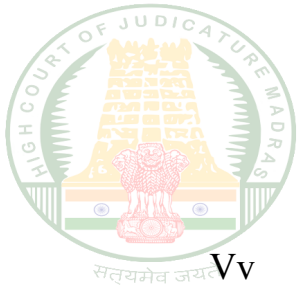
[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[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 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 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.



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To

- 1.The Judicial Magistrate-II,
Thirupathur
2. The Sub Inspector of Police,
Kandili Police Station,
Tirupathur District.
3. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.

Vv



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