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CRL OP No. 23549 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-08-2025

CORAM

THE HONOURABLE DR JUSTICE G. JAYACHANDRAN

CRL OP No. 23549 of 2025

Ramesh

...Petitioner/Accused

Vs.

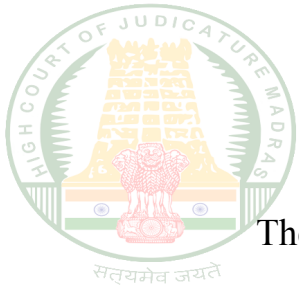
State Rep. by the Inspector of Police,
Gurubarapalli Police Station,
Krishnagiri District.
(Crime No.261 of 2025).

... Respondent/Complainant

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 Crime No.261 of 2025 pending investigation on the file of the
respondent police.

For Petitioner(s): Mr.P.M.Jayachandran

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



ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 303(2) of BNS Act r/w Section 21(1)(4) of Mines and Minerals (Development & Regulation) Act 1957, in Crime No.261 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submits that no mineral seized from the petitioner and compressor tractor alleged to have been used for mining of the sand, does not belong to the petitioner.

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

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 petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand Only)** to the credit of Crime No.261 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 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.II, Krishnagiri**, 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 learned Magistrate concerned and on further condition that:

[a] If the petitioner fails 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;



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[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;

[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.

25-08-2025

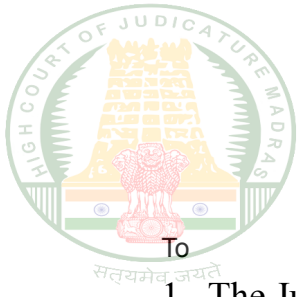
jd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

1. The Judicial Magistrate No.II, Krishnagiri.

2. The Inspector of Police,
Gurubarapalli Police Station,
Krishnagiri District.

3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN

J.

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