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Crl.OP.No.23676 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23676 of 2025

Karthik

... Petitioner

Vs.

The State rep.by
Inspector of Police,
Perumbalai Police Station,
Dharmapuri District.
(Cr.No.74 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 pending investigation in Cr.No.74 of 2025 on the file of the Inspector of Police, Perumbalai Police Station, Dharmapuri District.

For Petitioner : Mr.A.Mukesh

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

ORDER



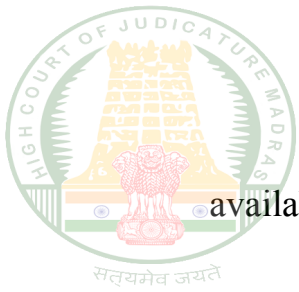
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The petitioner herein is the Owner-cum-Driver of the Tipper Lorry bearing Regn.No.TN-29-CB-2056 carrying two units of red soil is before this Court seeking anticipatory bail in Crime No.74 of 2025 for the offences punishable under Sections 303(2) of BNS r/w Section 21(1), 21(4) of Mines and Minerals Act.

2.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.

3. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the vehicle and the materials were seized and confiscation proceedings is contemplated. Hence, he opposed to grant bail to the petitioner.

4. Heard the learned counsels on either side and perused the materials



available on record.

WEB COPY 5. Considering the nature of the offence and the value of the minerals illegally transported, 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.10,000/- [Rupees Ten Thousand Only]** to the credit of Crime No.74 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, Pennagaram**, 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 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



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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]**;

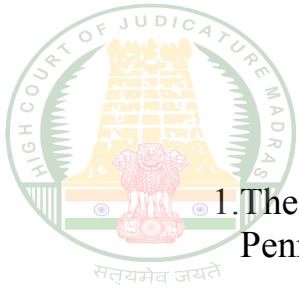
[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

26.08.2025

Vv

To

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1. The Judicial Magistrate,
Pennagaram.
2. The Inspector of Police,
Perumbalai Police Station,
Dharmapuri District.
3. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.



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