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Crl.O.P.No.23631 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.23631 of 2025

1.Selvam
2.Govindan

... Petitioners

Vs.

State by
The Inspector of Police,
Salavakkam Police Station,
Kancheepuram District.
Crime No.123 of 2025

... Respondent

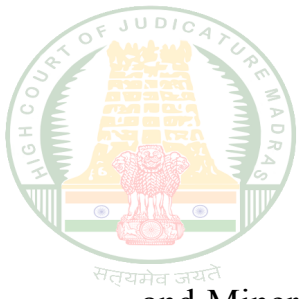
PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of apprehending arrest in Crime No.123 of 2025 on the file of respondent Police.

For Petitioners : Mr.A.Murugavel

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

ORDER

The petitioners apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 303(2) of BNS r/w 21(1) of Mines



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and Minerals (Development & Regulation) Act, 1957 registered on the file of the respondent police, seeks anticipatory bail.

2. The petitioners herein are the driver and the owner of the lorry in which four units of stones were illegally transported. The petitioners have abandoned the vehicle that was intercepted by the respondent police. The petitioners seek anticipatory bail claiming that they are innocent.

3. The learned Government Advocate (Crl. Side) submits that the investigation reveals that the vehicle belonging to the lorry in which the minerals were transported belongs to the second petitioner. The first petitioner is the driver of the vehicle.

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

5. Considering the fact that the value of the minerals is around Rs.6,000/- and the petitioners being the first time offenders, and the vehicle involved in the crime has already been seized and the confiscation proceedings were



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contemplated, this Court is inclined to grant anticipatory bail to the petitioners subject to certain conditions.

6. Accordingly, the petitioners are directed to deposit a sum of **Rs.3,000/- [Rupees three Thousand Only] each** to the credit of Crime No.123 of 2025 before the trial Court, on such deposit and production of proof, the petitioners are ordered to be released on bail in the 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 **District Munsif cum Judicial Magistrate, Uthiramerur, Kancheepuram District**, on condition that the petitioners shall execute a separate 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 petitioners 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;

[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



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of the identity proofs to ensure their identity;

[c] the petitioners 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

drl

To

1.The District Munsif cum Judicial Magistrate,
Uthiramerur, Kancheepuram District.

2.The Inspector of Police,
Salavakkam Police Station,
Kancheepuram District.

3. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.

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