



Crl.O.P.No.23569 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23569 of 2025

1.Shanmugam
2.Mani

... Petitioners

Vs.

State of Tamil Nadu,
Rep. by The Sub-Inspector of Police,
Sethiyathope Police Station,
Cuddalore District.
Crime No.185 of 2025

... Respondent

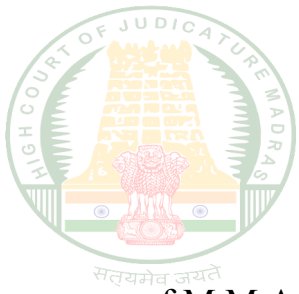
PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of apprehending arrest in Crime No.185 of 2025 on the file of respondent Police.

For Petitioners : Mr.M.Manivasagan

For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal 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 r/w 21(1)



Crl.O.P.No.23569 of 2025

of M.M.Act, in Crime No.185 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the offence alleged is that the accused illegally transported 100 kgs of river sand without valid permit using the two-wheeler. Hence, the complaint.

3. The learned Government Advocate (Crl. Side) submits that the petitioners have no previous case against them. He also submits that the vehicle and the contraband were seized and that the respondent police have initiated confiscation proceedings. However, he opposed the grant of anticipatory bail to the petitioners.

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

5. Considering the fact and the objection by the learned Government Advocate (Crl.Side), this Court is inclined to grant anticipatory bail to the petitioners subject to certain conditions.



Crl.O.P.No.23569 of 2025

WEB COPY

6. Accordingly, the petitioners are directed to deposit a sum of **Rs.1,000/- [Rupees One Thousand Only] each** to the credit of Crime No.185 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 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 No.I, Chidambaram, Cuddalore 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 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,



CrI.O.P.No.23569 of 2025

WEB COPY

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 Judicial Magistrate No.I,
Chidambaram, Cuddalore District.
- 2.The Sub-Inspector of Police,
Sethiyathope Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.

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Crl.O.P.No.23569 of 2025

Crl.O.P.No.23569 of 2025

26.08.2025