



Crl.O.P.No.23764 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23764 of 2025

Sivalingam

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Sholinghur Police Station
Ranipet District.
(Crime No.261 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 arrest in connection with Crime No.261 of 2025 pending investigation on the file of the respondent Police.

For Petitioner : Mr.G.P.Sivakumar
For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)



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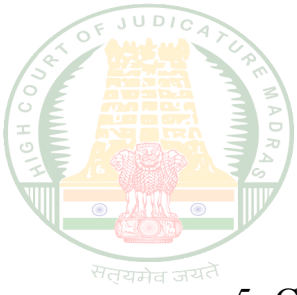
ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections **303(2), 326(a) of BNS Act, r/w Section 21(1) of MMDR Act, in Crime No.261 of 2025**, on the file of the respondent Police, seeks anticipatory bail.

2. The petitioner herein is the owner-cum-driver of the tipper lorry in which, 3 units of sand illegally transported. The respondent police has seized the vehicle on 25.07.2025, this petitioner is apprehending arrest in connection with the said case.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police while opposing for granting anticipatory bail to the petitioner, reiterated the prosecution case.

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



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5. Considering the fact that the petitioner is first time offender, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions;

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, **on or before 12.09.2025** before the learned **Judicial Magistrate, Sholinghur**, 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 of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall deposit a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** to the credit of Crime No.261 of 2025 on the file of the Judicial Magistrate, Sholinghur, on or before 12.09.2025;

[b] if the petitioner fails to surrender before the concerned Magistrate on or before 12.09.2025, this Order shall stand automatically cancelled;

[c] 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;



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[d] **the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;**

[e] 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]**;

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

28.08.2025

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To

1.The Judicial Magistrate, Sholinghur.

2.The Inspector of Police,
Sholinghur Police Station
Ranipet District.
(Crime No.261 of 2025)

3.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.
dna

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