



Crl.O.P.No.23785 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23785 of 2025

Tamilarasan

... Petitioner/Accused 2

/versus/

State Rep.by,
The Inspector of Police,
Vaitheeswarankoil Police Station,
Mayiladuthurai District.
(Crime No.78 of 2025)

...Complainant/Respondent

Prayer: Criminal Original Petition filed under Section 482 of *Bharatiya Nagarik Suraksha Sanhita*, 2023, pleased to enlarge the petitioner on bail in the event of his arrest by the respondent police in Crime No.78 of 2025 dated 15.04.2025 on the file of respondent.

For Petitioner : Mr.S.John Josh

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)



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ORDER

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The petitioner, who apprehend arrest at the hands of the respondent police, for the alleged offences punishable under Sections 303(2) of BNS and Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957, in Crime No.78 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The learned counsel appearing for the petitioner submits that the petitioner apprehends arrest in connection with the alleged illegal transport of one unit of savudu sand in a tractor owned by him. The driver of the vehicle has already been arrested, and the tractor along with the material seized.

3. The learned counsel further submits that the petitioner is an innocent person and has been falsely implicated in this case.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the petitioner is alleged to have illegally transported one unit of sand without any valid permit and the investigation is still pending.



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5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the nature of the allegations, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. 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, Srikazhi** 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 likesum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] **The petitioner shall deposit a sum of Rs.5,000/- (Rupees Five thousand only) to the credit of Crime No.78 of 2025 on the file of the Judicial Magistrate, Srikazhi, on or before 12.09.2025;**

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



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[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;

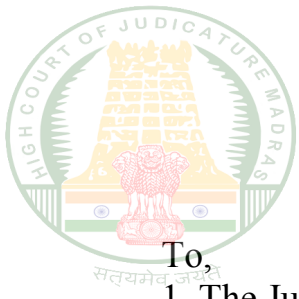
[d] The petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[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.

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To,

1. The Judicial Magistrate, Srikazhi.
2. The Inspector of Police, Vaitheeswarankoil Police Station, Mayiladuthurai District.
3. The Public Prosecutor, High Court of Madras.

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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Dr.G.JAYACHANDRAN, J.
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