



Crl.O.P.No.23904 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.23904 of 2025

E.M.Vetriselvan

... Petitioner/Accused(Single)

/versus/

The State Rep.by its
The Inspector of Police,
Chetpet Police Station,
Tiruvannamalai District.
(Crime No.279 of 2025)

...Complainant/Respondent

Prayer: Criminal Original Petition filed under Section 482 of *Bharatiya Nagarik Suraksha Sanhita*, 2023, pleaded to enlarge the petitioner on bail in the event of arrest in Crime No.279 of 2025 on the file of the respondent police station.

For Petitioner : Mr.E.Sathiyaraj Elangovan

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), 326 of BNS Act (Corresponding Section 379, 430 of IPC) and Section 21(5) of Mines & Minerals (Development & Regulation) Act, 1957, in Crime No.279 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 23.08.2025 at about 12.00 noon, the petitioner was found illegally transporting 3 units of river sand in a lorry bearing Reg.No.TN-23-AB-0518 and on seeing the officials, he abandoned the vehicle and fled from the spot.

3. The petitioner is the owner-cum-driver of the said vehicle in which 3 units of river sand were allegedly transported. The vehicle along with the sand was seized by the respondent police in Crime No.279 of 2025 on 23.08.2025.

4. The learned Government Advocate (Crl.Side) appearing for the respondent opposes the grant of bail on the ground that the petitioner, being the owner-cum-driver, abandoned the vehicle on seeing the raiding team. However, it is admitted that the vehicle along with the contraband were seized.



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5. The learned counsel for the petitioner submits that the petitioner is an innocent person and has been falsely implicated in this case and he is ready to abide by any conditions imposed by this Court.

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

7. Considering the nature of the allegations and the fact that the vehicle and contraband have already been seized, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

8. 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, Polur, Tiruvannamalai** on condition that the petitioner shall execute a bond for a sum of **Rs.50,000/- (Rupees Fifty 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**



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Rs.60,000/- (Rupees Sixty Thousand only) to the credit of Crime No.279 of 2025 on the file of the Judicial Magistrate, Polur, Tiruvannamalai, 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;

[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**



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

01.09.2025

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To,

1. The Judicial Magistrate, Polur.
2. The Inspector of Police, Chetpet Police Station, Tiruvannamalai 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.

Dr.G.JAYACHANDRAN, J.

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