



Crl.O.P.No.24036 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.24036 of 2025

1.Velmani
2.Velmurugan
3.Silambarasan

... Petitioners

Vs.

The Inspector of Police,
Aladi Police Station,
Cuddalore District.
(Crime No.94 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on anticipatory bail in the event of their arrest pending investigation in Crime No.94 of 2025, on the file of the Respondent Police.

For Petitioners : Mr.S.Saravanakumar

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2), 326 of BNS r/w 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.94 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioners illegally transported sand using three two wheelers. Hence, the case.

3. The learned counsel appearing for the petitioners states that the petitioners have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) reiterated the prosecution case and opposed for grant of bail to the petitioners.

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

6. Considering the facts and circumstances of the case and the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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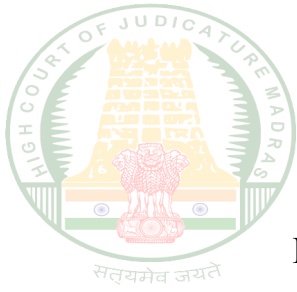
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7. Accordingly, the petitioners are directed to deposit a sum of **Rs.20,000/- [Rupees Twenty Thousand Only]** in the account pertaining to Crime No.94 of 2025 before the trial Court **on or before 19.09.2025**, on such deposit and production of proof, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned **Judicial Magistrate No.II, Viruthachalam, Cuddalore District**, on condition that the petitioners shall execute a 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] 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;

[b] the petitioners shall report before the respondent police as and when required;

[c] 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



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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]**;

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

02.09.2025

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To

- 1.The Judicial Magistrate No.II, Viruthachalam,
Cuddalore District.
- 2.The Inspector of Police,
Aladi Police Station,
Cuddalore District.
- 3.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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