



Crl.O.P.No.23947 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.23947 of 2025

1.Rajesh.

2. Pazhanivel.

... Petitioners/Accused 1 & 2

/versus/

The State Rep.by its
The Sub - Inspector of Police,
Mangalampet Police Station,
Cuddalore District.
(Crime No.159 of 2025)

...Complainant/Respondent

Prayer: Criminal Original Petition filed under Section 482 of *Bharatiya Nagarik Suraksha Sanhita, 2023*, pleaded to enlarge the petitioners on bail in the event of arrest of their arrest in Crime No.159 of 2025 on the file of the respondent police station.

For Petitioners : M/s.R.Raji

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



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ORDER

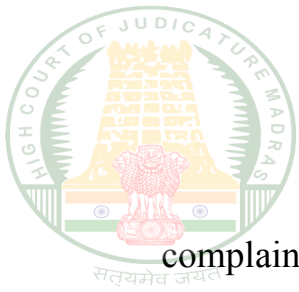
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The petitioners, who apprehend arrest at the hands of the respondent police, for the alleged offences punishable under Sections 303(2) of BNS, 2023 read with 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.159 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 21.08.2025, based on secret information, the respondent police found the petitioners loading one unit of lake sand into a tractor (TN-97-AZ-9695) using a JCB (TN-28-AZ-2923) without valid permit. On seeing the police, the petitioners fled and case was registered in Crime No.159 of 2025.

3. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the tractor has already been seized along with the mineral and the case has been registered in Crime No.159 of 2025.

4. The learned counsel for the petitioners submits that the petitioners, who are father and son and owners of the tractor, have no previous case and they are innocent and have nothing to do with the allegations made in the



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complaint.

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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 complaint, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners ordered to be released on bail in the event of arrest or on their appearance, **on or before 12.09.2025** before the learned **Judicial Magistrate No.II, Virudhachalam**, 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 likesum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] **The petitioners shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each to the credit of Crime No.159 of 2025 on the file of the Judicial Magistrate No.II, Virudhachalam, on or before 12.09.2025;**

[b] **If the petitioners fail to surrender**



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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 petitioners 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 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]**;

[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 No.II, Virudhachalam.
2. The Sub - Inspector of Police, Mangalampet Police Station, Cuddalore 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.
bsm

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