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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **12.09.2025**

CORAM

THE HONOURABLE **MRS. JUSTICE T.V.THAMILSELVI**

CRL.O.P.No.24630 of 2025

1. Elaiyaraja

2. Anandharajan

... Petitioners

Vs

State rep. by

The Inspector of Police,

Sethiyathope Police Station, Cuddalore District.

(Crime No.169 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on bail in the event of apprehending arrest in the Crime No.169 of 2025 on Vanur Police Station, Villupuram District.

For Petitioner : Mr.S.Abdul Khadar

For Respondent : Mr.S.Udaya Kumar,

Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 303(2), 326(a), 351(3) of BNS r/w 21(1) of Mines and Minerals (Development and Regulation) Act 1957 in Crime No.169 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners attempted to illegally transport the sand in two tractors, without any approval. Hence, the



case.

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3. The learned counsel appearing for petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, they pray for grant of anticipatory bail.

4. The case of the prosecution as put forth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioners involved sand theft.

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

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the *learned Judicial Magistrate Court I, Chidambaram*, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners are directed to deposit a sum of



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Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Registered Advocate Clerk Association, Cuddalore District within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

[b] the petitioners and the sureties shall affix their photographs and Left Thumb Impressions in the surety bond and the Magistrate may obtain a copy of their Aadhar cards or Bank pass Books to ensure their identity.

[c] the petitioners are directed to report before the respondent police every Saturday at 10.30 a.m., for a period of eight weeks;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory 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)AIR SCW 5560]**.

T.V.THAMILSELVI, J.



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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

12.09.2025

kmm

To

1. The Judicial Magistrate I,
Chidambaram.

2. The Inspector of Police,
Sethiyathope Police Station,
Cuddalore District.

3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.24630 of 2025