



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **12.09.2025**

CORAM

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

CRL.O.P.No.24363 of 2025

Santhosh Kumar

... Petitioner

Versus

State rep by
The Inspector of Police,
Kammapuram Police Station,
Cuddalore District.
(Crime No.115 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 arrest in the Crime No. 115 of 2025 on the file of the respondent police.

For Petitioner : Mr. R.Radha Pandian
For Respondent : Mr.S.Udaya Kumar,
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Section 303(2) of BNS Act, 2023 and Section 21(1) of Mines and Minerals (Development and Regulation)Act, 1957 in Crime No.115 of 2025, seeks anticipatory bail.



WEB COPY

2. The case of the prosecution is that the petitioner had illegally transported $\frac{1}{2}$ unit of ordinary sand in a tractor without any valid license.

Hence, the complaint.

3. The learned counsel appearing for petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl.side) submitted that the petitioner had illegally transported $\frac{1}{2}$ unit of ordinary sand in a tractor without any valid license. Hence, he opposed for the grant of bail to the petitioner.

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

6. Accordingly, the petitioner is ordered to be released on bail in the



event of arrest or on his appearance before the *learned Judicial Magistrate*

WEB COPY

No.II, Virudhachalam 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 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 petitioner is directed to deposit a sum of **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 petitioner and the sureties shall affix his photograph and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

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

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



WEB COPY



T.V.THAMILSELVI, J.

kmm

[e] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

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

12.09.2025

kmm

To

1. The learned Judicial Magistrate No.II, Virudhachalam.
2. The Inspector of Police,
Kammapuram Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.24363 of 2025