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Crl.O.P.No.25102 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25102 of 2025

1.Kodeswaran
2.M.Arthy

... Petitioners/Accused Nos.1&2

Vs.

The State rep. by,
The Inspector of Police,
Vellakoil Police Station,
Tiruppur District.
Crime No.360 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482, BNSS,2023, to grant anticipatory bail to the petitioners in the event of their arrest or on their appearance before any court in connection with the case in Crime No.360 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.K.Magesh

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



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ORDER

The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Section 303(2) BNS, and Sec.21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No. 360 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had illegally transported 4 units of gravel sand in a Bullock Cart without any valid permit. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have no previous cases.

4. Heard the learned counsels on either side and perused the materials available on record.

5. Considering the nature of the mineral and the quantity alleged to have been illegally transported, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. Accordingly, the petitioners are directed to deposit a sum of **Rs.50,000/- [Rupees Fifty Thousand Only]** to the credit of Crime No.360 of 2025 before the trial Court, 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, Kangayam** on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 and on further condition that:

[a] **If the petitioners are acquitted in the trial, the amount shall be returned;**

[b] 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;

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

[d] 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



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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]**;

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

15.09.2025

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To

1.The Judicial Magistrate, Kangayam

2.The Inspector of Police,
Vellakoil Police Station,
Tiruppur District.

3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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