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CRL OP No. 24808 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 24808 of 2025

1. S.Saravanan

S/o. Subramani

2. Venkatesan Govindan

S/o. Govindan

Petitioner(s)

Vs

1. State By Inspector of Police

Paparapatti Police Station,

Dharmnapuri District.

(Crime No. 181 of 2025)

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS enlarge the petitioners on bail in the event of their arrest by the Respondent Police concerned in Crime No. 181 of 2025 on the file of Inspector of Police, Paparapatti Police Station, Dharmapuri District.

For Petitioner(s): Mr.Elavarasan M R

For Respondent(s): Mr.S.Udayakumar

Government Advocate (Crl. Side)



ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS, 2023 read with Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.181 of 2025 on the file of respondent police, seek anticipatory bail.

2. The case of the prosecution is that from 01.08.2024 to 30.07.2025, the petitioners had taken gravel sand and 50 stones from patta land and government poromboke land for construction of a temple. Hence, this case.

3. The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. However, on instructions he would further submit that without prejudice to their right and contentions, the petitioners are prepared to deposit/pay some considerable amount as may be directed by this court. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for respondent police opposed for the grant of anticipatory bail to the petitioners by reiterating the prosecution case.

5. Considering the above 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, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Pennagaram, Dharmapuri**, on condition that **the petitioners shall deposit a sum of Rs.15,000/- each (Rupees Fifteen Thousand each) as non-refundable deposit to the credit of Ramakrishna Math, No.31, Ramakrishna Math Road, Mylapre, Chennai – 600 004**, and the petitioners shall also execute a separate 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 and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police on every Saturday at 10.30 a.m. for the period of eight weeks and thereafter as and when required for interrogation.

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

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



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[e] 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 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]**.

[f] If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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1. The Judicial Magistrate
Pennagaram, Dharmapuri
2. The Inspector of Police
Paparapatti Police Station,
Dharmnapuri District.
3. The Public Prosecutor
High Court of Madras, Chennai



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T.V.THAMILSELVI J.

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