



Crl.O.P.No.25139 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25139 of 2025

Vijaykumar

... Petitioner

Vs.

The State rep. by,
The Inspector of Police,
Palacode Police Station,
Dharmapuri District.
Crime No.207 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 437 of Cr.P.C/Section 480 of BNSS, pleaded to enlarge the petitioner on anticipatory bail in the event of his arrest by the Respondent Police in Crime No.207 of 2025 on the file of the Respondent Police.

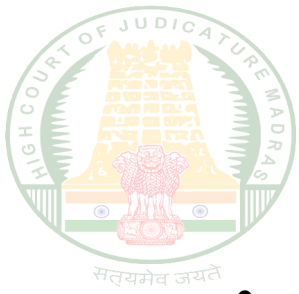
For Petitioner : Mr.Pradeep

For Respondent : Mr.S.Udayakumar

Government Advocate (Criminal Side)

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS, 2023 r/w Section 21(4) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.207 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner had illegally transported 3 units of gravel sand in his vehicle bearing Registration No. KA 51 B 0261 without any valid permit. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and has been falsely implication in this case. Hence, he prayed for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) submitted that the petitioner has one previous case. Hence, he opposed the grant of anticipatory bail.

5. 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.

6. Accordingly, the petitioners are directed to deposit a sum of **Rs.20,000/- [Rupees Twenty Thousand Only]** to the credit of Crime No.207 of 2025 before the trial Court, on such deposit and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned **Judicial Magistrate, Palacode** on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)**



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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] 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;

[b] the petitioner shall report before the respondent police as and when required;

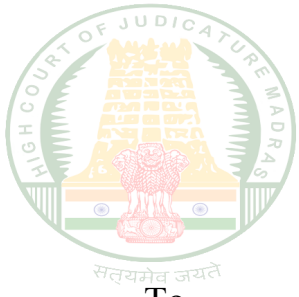
[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court 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.

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To
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- 1.The Judicial Magistrate, Palacode
- 2.The Inspector of Police,
Palacode Police Station,
Dharmapuri District.
3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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