



Crl.O.P.No.25146 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25146 of 2025

1. Sakthivel.
2. Manikandan.
3. Prakasam @ PattaiPrakasam.
4. Prithiviraj.

... Petitioners/Accused 2 to 5

/versus/

The State Rep. by,
The Inspector of Police,
Virinchipuram Police Station,
Vellore District.
(Crime No.167 of 2025)

...Complainant/Respondent

Prayer: Criminal Original Petition filed under Section 482 of *Bharatiya Nagarik Suraksha Sanhita, 2023*, to enlarge the petitioners on bail in the event of their arrest in Crime No.167 of 2025 on the file of the respondent police.

For Petitioners : Mr.K.Sathish Kumar.

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)



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ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 303(2) & 326(a) of BNS Act, in Crime No.167 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The prosecution case is that on 30.07.2025, a Tata Ace bearing Reg. No.TN-79-B-2440 and a two-wheeler bearing Reg. No. TN-23-AM-4815 were intercepted by the respondent police in a vehicular check. The persons in the vehicle abandoned it and fled.

3. The Learned Government Advocate (Criminal Side) appearing for the respondent, states that the respondent police found one unit of 40 kg of river sand being illegally transported in the Tata Ace. On investigation, five persons involved in the crime were arrayed as accused for the offences under Sections 303(2) & 326(a) of the BNS.

4. The Learned Counsel for the petitioners states that the 2nd petitioner is the owner of the Tata Ace, and the other petitioners are his assistants. The petitioners claim they had no role in the alleged crime.



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5. The Learned Government Advocate (Criminal Side) appearing for the respondent states that the Transport Department documents show that the 2nd petitioner is the registered owner of the Tata Ace vehicle and absconding accused A1 (Saravanan) is the owner of the two-wheeler. Further, both vehicles have been seized and confiscation proceedings have been initiated.

6. Considering the nature of the complaint, this Court is inclined to grant anticipatory bail to the petitioners subject to certain conditions.

7. Accordingly, the petitioners ordered to be released on bail in the event of arrest or on their appearance, **on or before 30.09.2025** before the Learned **Judicial Magistrate No.IV, Vellore, Vellore District**, 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 likesum to the satisfaction of the learned Magistrate concerned and on further condition that:-



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[a] The petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten thousand only) each to the credit of Crime No.167 of 2025 on the file of the Judicial Magistrate No.IV, Vellore, on or before 30.09.2025;

[b] If the petitioners fail to surrender before the concerned Court on or before 30.09.2025, this Order shall stand automatically cancelled;

[c] 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;

[d] The petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

[e] 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 and the petitioners released on bail by the learned



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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];

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

15.09.2025

bsm

To,

1. The Judicial Magistrate No.IV, Vellore. Vellore District.
2. The Inspector of Police, Virinchipuram Police Station, Vellore District.
3. The Public Prosecutor, High Court of Madras.

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

Dr.G.JAYACHANDRAN, J.

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