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CRL OP NO. 26317 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 24-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR
CRL OP NO. 26317 of 2025

Ashok Kumar M.

...Petitioner

Vs

State Rep by its,
The Inspector of Police
Thondamuthur Police Station
Coimbatore District.

....Respondent(s)

Criminal Original Petition filed under Section 482 of BNSS, Act, 2023 praying to enlarge the petitioners in the event of his arrest by the respondent police in pursuant to the FIR in Crime No. 215 of 2024 on the file of the respondent police.

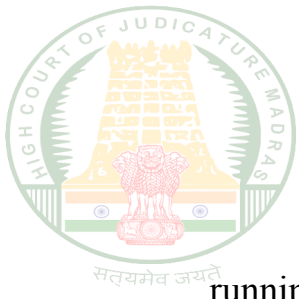
For Petitioner(s): Mr.B.Vasanthan

For Respondent(s): Mr.S.Udayakumar

Government Advocate [Criminal Side]

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.215 of 2024, on the file of the respondent Police, seeks anticipatory bail.



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2. The allegation against the petitioner is that the petitioner was running brick kiln without any valid license from the Government. Hence the complaint.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He further submits that he has not committed any offence as alleged by the prosecution. He further submits that the co-accused was already granted bail by this Court in CrI.O.P.No. 26024 of 2024, dated 21.10.2024. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that the co-accused was already granted bail by this Court in CrI.O.P.No. 26024 of 2024, dated 21.10.2024 and he has no previous case pending against the petitioner herein. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsels on either side and perused the materials



available on record.

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6. Considering the facts and circumstances of the case, submissions made by learned counsels on either side and the co-accused was already granted bail by this Court in Crl.O.P.No. 26024 of 2024, dated 21.10.2024, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.VI, Coimbatore**, on condition that the petitioners shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** **with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[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



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identity;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation;

[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 and the petitioners released on bail by the learned Magistrate/Trial Court themselves 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.

24.09.2025

MSM

To

- 1.The Judicial Magistrate No.VI, Coimbatore,
- 2.The Inspector of Police
Thondamuthur Police Station
Coimbatore District.
- 3.The Public Prosecutor, High Court of Madras.

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K.RAJASEKAR, J.



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