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Cr1.O.P.No.27345 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Cr1.O.P.No.27345 of 2025

1.Manikandan

2.Sasikumar

... Petitioners/A1&A2

Vs.

The State Rep. by
The Inspector of Police
Thanipadi Police Station,
(Crime No.204 /2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 438 of CRPC 1973/
Section 482 of BNSS 2023, to enlarge the petitioners on bail in the event of
their arrest in Crime No.204 of 2025 on the file of the respondent Police.

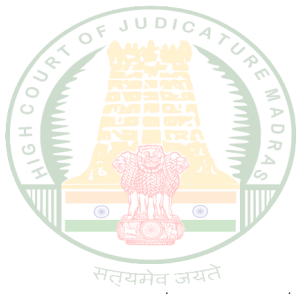
For Petitioners : Mr.A.Vinothraj

For Respondent : Mr.S.Santhosh
Government Advocate (Cr1. Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 303(2), 326(a) of BNS Act 2023, U/s 21(1) Mines & Minerals (Development & Regulation) Act 1957, in Crime No.204 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners have illegally



Crl.O.P.No.27345 of 2025

transported 9 cubic meters of gravel clay in a Ashok Leyland vehilce bearing registration No.AP-39-AZ-4541 without any valid licence. Hence, the case

3.Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case; that the petitioners have not committed any offence as alleged by the prosecution; and that the petitioners are ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation. ***He further submitted that the petitioners, without prejudice to their rights, are ready to deposit a sum of Rs.10,000/- each to any welfare scheme of the Government or any other organization and prayed for anticipatory bail to the petitioners.***

4.Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and he opposed for grant of anticipatory bail to the petitioners. He further submitted that no previous case is pending against the 2nd petitioner and two previous cases are similar in nature against the 1st petitioner.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police and



Cr1.O.P.No.27345 of 2025

perused the materials available on record.

6.Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.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 Court at Thandarampet**, on condition that the petitioners shall execute a 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/Judge 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



Cr1.O.P.No.27345 of 2025

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pass Book to ensure their identity.

[b] the petitioners are directed to deposit a sum of **Rs.10,000/-** (Rupees Twenty Five Thousand only) each as non-refundable deposit either through RTGS/NEFT/cash/demand draft in favour of the **Dean, Rajiv Gandhi Government General Hospital, Chennai, bearing A/c. No.10273425961, State Bank of India, Park Town (Chennai), 68, Evening Bazaar Road, Chennai, IFSC:SBIN0001856**, without prejudice to their defence before the trial Court and the learned Judicial Magistrate, after perusing the challan / receipt, shall accept the sureties furnished by the petitioner;

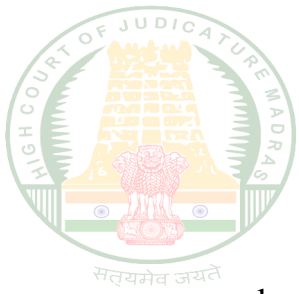
[c] the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

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

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

[f]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].

[g]If the accused thereafter absconds, a fresh FIR can



Cr1.O.P.No.27345 of 2025

be registered under Section 269 of B.N.S.

WEB COPY

03.10.2025

nvi

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 official website of this Court will be watermarked and will also have a QR code.***

To

- 1.The Judicial Magistrate Court at Thandarampet.
2. The Inspector of Police
Thanipadi Police Station,
- 3.The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.27345 of 2025

N.SENTHILKUMAR, J.

nvi

Crl.O.P.No.27345 of 2025

03.10.2025