



*Cr1.O.P.No.27173 of 2025*

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2025

CORAM

**THE HON'BLE MR. JUSTICE N.SENTHILKUMAR**

Cr1.O.P.No.27173 of 2025

1.E.Purushothaman

2.M.Kiruba @ Kirubakaran

... Petitioners

Vs.

The State Rep. by

The Inspector of Police

Kaveripakkam Police Station,

Ranipet District.

(Crime No.302 /2025)

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on bail in the event of their arrest in Crime No.302 of 2025 on the file of the respondent Police.

For Petitioners : Mr.M.D.Ilayaraja

For Respondent : Mr.S.Santhosh

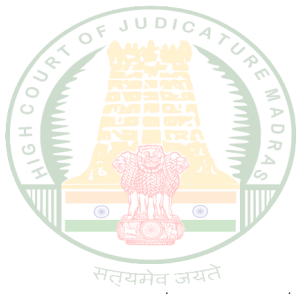
Government Advocate (Cr1. Side)

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**ORDER**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS (Section 379 of IPC) r/w 21(1) of Mines & Minerals (Development & Regulation) Act, 1957, in Crime No.302 of 2025, on the file of the respondent police, seek anticipatory bail.

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



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transported 9 units of Sand in a Lorry bearing registration No.AP-39-UE-7005 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.25,000/- 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 petitioners.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.

6.Taking note of the facts and circumstances of the case, nature of



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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-I, Walajapet** 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 pass Book to ensure their identity.

[b] the petitioners are directed to deposit a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** as non-



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



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**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 No.1, Walajapet
2. The Inspector of Police  
Kaveripakkam Police Station,  
Ranipet District.
- 3.The Public Prosecutor,  
High Court of Madras.



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**N.SENTHILKUMAR, J.**

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