



Crl.OP.No. 27952 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **14-10-2025**

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 27952 of 2025

1.Thanigaivel
2.Meganathan

Petitioners

Vs

The State rep. by
The Sub Inspector of Police
Sriperumbudur Police Station.
Kancheepuram District
Crime No. 337 of 2025.

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 pending investigation in Cr.No.337 of 2025 on the file of the respondent police.

For Petitioner : Mr.T.Arul
For Respondent : Mr.A.Gopinath
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 329(3), 303(2) BNS r/w 21(1) of MM & DR Act, in Crime No. 337 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 petitioners and others had trespassed into the land of the de-facto complainant, excavated red sand and had transported by using JCB without any valid licence from the Government of Tamil Nadu. Hence the respondent police registered a case against the petitioners and others.

3. The learned counsel for the petitioners submits that the petitioners are innocent persons and they have been falsely implicated in this case. He submits that they have not committed any offence as alleged by the prosecution. He also submits that the petitioners are 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 petitioners.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that the vehicle involved in the Crime has been seized. He further submits that no previous case is pending against the petitioners. However, he opposed to



grant anticipatory bail to the petitioners.

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5. Heard the learned counsels and perused the materials available on record.

6. Considering the submissions made by the learned Counsel on either side, and investigation has almost been completed. I am of the view that the petitioners are entitled to get anticipatory bail 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, Sriperumbudur**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 petitioners fail to surrender before the concerned Magistrate, within a period of fifteen days



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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 identity;

[c] the petitioners are directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand Only) each to the credit of Crime No. 337 of 2025 on the file of Judicial Magistrate, Sriperumbudur.

[d] the petitioners shall report before the respondent Police as and when required for interrogation;

[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 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]**;



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

14.10.2025

MSM

To

1. The Judicial Magistrate, Sriperumbudur

2. The Sub Inspector of Police
Sriperumbudur Police Station.
Kancheepuram District

Crime No. 337 of 2025.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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