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Crl.O.P.No.29482 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.29482 of 2025

1.Elangovan
2.Bakkiyaraj

... Petitioners

Vs.

The State Rep. By,
The Sub Inspector of Police,
Dusi Police Station,
Thiruvannamalai District.
Crime No.381 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.381 of 2025 on the file of the respondent police.

For petitioners : Mr.V.Manimaran

For Respondent : Mr.S.Udayakumar,
Government Advocate (Criminal Side)



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ORDER

The petitioners herein apprehends arrest at the hands of the respondent police for the offences punishable under Section 21(1) of Mines and Minerals (Development and Regulation) Act, in Crime No.381 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 11.09.2025 at about 2.30 p.m., while the respondent police were on their routine patrol duty, they found that the petitioners were illegally transporting 40MT (Metric Ton) of rough stone in a vehicle bearing Registration No.TN-18-BJ-8388 without any license. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the first petitioner is the owner and the second petitioner is the driver. He further submitted that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court hence, he prays to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the anticipatory bail to the petitioners, reiterated the prosecution case and state that the petitioners have no previous cases, however the quantity of rough stone involved in this case is 40MT (Metric Ton); and that the investigation is pending.

5. Heard both sides and perused the materials available on record.

6. Considering the submissions made by the learned counsels on either side and taking into fact that the petitioners have no previous criminal antecedents, 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 ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Cheyyar**, 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



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concerned, and on further condition that:

[a] if the petitioners fails to surrender before the concerned Magistrate within a period of ten 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 identity;

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

30.10.2025

cda

To

- 1.The Judicial Magistrate, Cheyyar.
- 2.The Sub Inspector of Police,
Dusi Police Station,
Thiruvannamalai District.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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