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Crl.O.P.No.2972



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.29722 of 2025

R.Srinivasan

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Ambur Town Police Station,
Thirupathur.
(Crime No.243 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.243 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.Venkateswaran Kanniappan

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



ORDER

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 303(2), 326(a) of BNS, 2023 and Section 21(1) of MM Act in Crime No.243 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the owner of the land situated at Aisha B Nagar comprised in T.S.No.9/2 and 9/3 and the petitioner had obtained order from the Thasildar, Ambur for levelling his land while so he illegally quarried sands by using without permit, hence same were seized and handed over to the respondent police. Hence this case.

3. The learned counsel appearing for petitioner submitted that the petitioner have not committed any offence as alleged by the prosecution, and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that investigation is pending and no previous case is pending against the petitioner, the petitioner was found in possession of 2 units of gravel sand illegally. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that the petitioner has not having any previous



cases, the sand was taken from the land of A1, and this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate-cum-District Munsif, Ambur*, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 concerned and on further condition that:

(a) 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 petitioner shall report before the respondent police daily at 10.30 a.m., for the period of one week and thereafter as and when requires for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during



investigation or trial;

(e) on breach of any of the aforesaid conditions, the

learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]*; and;

(f) 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 the official website of this Court will be watermarked and will also have a QR code.



To

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- 1.The Judicial Magistrate-cum-District Munsif, Ambur.
- 2.The Inspector of Police,
Ambur Town Police Station,
Thirupathur.
- 3.The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.



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