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Crl.O.P.No.2974



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.29742 of 2025

1. Seenu

2. S.Radhika

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
Kalasapakkam Police Station,
Tiruvannamalai District.
(Crime No.375 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, 2023, to
enlarge the petitioners on bail in the event of their arrest in Crime No.375 of 2025
pending investigation on the file of the respondent police.

For Petitioners : Mr.T.Balachandran

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



ORDER

The petitioners, 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.375 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The allegation against these petitioners is that, these petitioners were transporting 2 units of M-sand and since they were not carrying the same was seized. Hence this case.

3. The learned counsel appearing for petitioners submitted that the petitioners 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 no previous case is pending against the petitioners, the petitioners was found in possession of 2 units of M-sand illegally, the property was recovered in this case. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the fact that the petitioners have not having any previous cases, and allegation is that they were in possession of 'M' sand, and this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate, Kalasapakkam, Tiruvannamalai District*, on condition that the petitioners 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;



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(e) 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

31.10.2025

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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, Kalasapakkam, Tiruvannamalai District.
- 2.The Inspector of Police,
Kalasapakkam Police Station,
Tiruvannamalai District.
- 3.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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