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CRL OP No. 29923 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 29923 of 2025

1. KAVITHA

W/o. Manigandan, No.129, Pillaiyar
Kovil Street, Vellerimedu, Andipalayam
Village, Tiruvannamalai District

Petitioner(s)

Vs

1. The State Rep. by its Inspector of
Police
Kannamangalam Police Station,
Tiruvannamalai District. (Crime No.
335/2025)

Respondent(s)

PRAYER

To enlarge the petitioner on bail in the event of arrest in Crime No. 335 of 2025 on the file of the respondent police station and thus render justice.

For Petitioner(s): E.Sathiyaraj Elangovan

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

**ORDER**

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The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 303(2), 326 of BNS Act (corresponding section 379, 430 of IPC) and section 21(1) of the Mines and Minerals (Development & Regulation Act 1957) in Crime No. 335 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in possession and transportation of three units of gravel, and when the officials were came, the petitioner stopped the vehicle and ran away from there. On investigation, it was revealed that the gravel was transported without any license or transit pass.

3. The learned counsel for the petitioner would submit that it is only a case of transporting gravel without a license, and the petitioner is ready to abide by any conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that there is no previous case against the petitioner, and the property is also seized.



However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also considering the fact that the the property has been recovered and that there are no previous cases against the petitioner and allegation is gravel is transported without transit pass and it is not the case of illegal quarrying and transporting, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 on which the order copy made ready, before the **learned Judicial Magistrate, Arni, Tiruvannamalai District**, on condition that **the petitioner 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 concerned, and on further condition:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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(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 identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent police everyday 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 aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions 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 v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

04-11-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To

1.The Judicial Magistrate,Arni, Tiruvannamalai District.

2.The State Rep. by its Inspector of
Police

Kannamangalam Police Station,
Tiruvannamalai District. (Crime No.
335/2025)

3.The Public Prosecutor
High Court of Madras.



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K.RAJASEKAR J.

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