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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2025

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THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.32152 of 2025

Manikandan

... Petitioner

Vs.

The State rep. by its.,
The Inspector of Police,
Edaikkal Police Station,
Kallakurichi District.
Crime No.37 of 2019

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.37 of 2019 on the file of the respondent police.

For Petitioner : No appearance
For Respondent : Ms.J.R.Archana
Government Advocate (Criminal Side)

ORDER

The petitioner herein apprehending arrest at the hands of the respondent police for the offences punishable under Sections 379 of IPC r/w 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.37 of 2019, on the file of the respondent Police, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner was found in illegal transportation of three units of pebbles illegally quarried from river. Hence, the case.

3. There is no representation for the petitioner.

4. The learned Government Advocate (Crl.side) submitted that the petitioner had illegally transported three units of pebbles without any valid license. Hence, he opposed for the grant of bail to the petitioner.

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

6. Considering the facts and circumstances of the case, submissions made by learned counsels on either side, also considering the fact that the petitioner has no previous case, property already recovered, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Ulundurpet, Kallakurichi District**, 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 petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix his 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 his identity;

[c] the petitioner 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;



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K.RAJASEKAR, J.

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[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

02.12.2025

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To

1. The Judicial Magistrate No.I, Ulundurpet, Kallakurichi District.
2. The Inspector of Police,
Edaikkal Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.32152 of 2025

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