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CRL OP No. 32518 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 32518 of 2025

1. Santhi
2. Vetrivel
3. SathiyaKumar
4. Chinnasamy

Petitioner(s)

Vs

1. State Rep By its, The Inspector of
Police,
Thevoor Police Station, Salem District.
(Crime No.290 of 2025)

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS to enlarge the petitioners on bail in the event of arrest a case in crime No.290 of 2025 on the file of the Respondent and thus render justice.

For Petitioner(s): Mr.C.Deepak Kumar

For Respondent(s): Ms.J.R.Archana, GA (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS read with Section 21(2), 21(4) of Mines and Mineral (Development & Regulation) Act,



1957 in connection with the Cr. No.290 of 2025, seeks anticipatory bail.

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2. The case of the prosecution is that on 30.10.2025, while conducting routine surveillance, the Special Tahsildar (Minerals, Geology & Mining Department)/ the defacto complainant intercepted two tipper lorries bearing Reg Nos. TN 45 BB 4992 and TN 86 J 0969 and found the petitioners illegally transporting three units of white sand without valid permits. Hence the case.

3. Learned counsel for the petitioners submitted that petitioners are innocent persons, and they have been falsely implicated by the respondent police and they are no way connected with the alleged offence and hence he prayed to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) would submit that on the date of the alleged occurrence, petitioners illegally transported three units of white sand in two tipper lorries and the sand along the vehicles used by the accused were seized by the respondent police and that the petitioners has no previous case pending against them. However, he strongly objected to grant anticipatory bail to the petitioners.



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

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6. Considering the representation made by both side counsel, nature of offence, and the fact that the sand and the vehicle used by the petitioners to transport the sand were seized by the respondent police and that no previous cases are pending against petitioners, and also considering all other factors, I am inclined to grant anticipatory bail to the petitioners subject to the following 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 fifteen (15) days from the date on which the order copy made ready, before the learned **Judicial Magistrate-I, Sankari** on condition that each of 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 concerned and on further condition that:

[a] the petitioners shall report before the respondent police daily at 10.30 am., for a period two weeks and thereafter as and when required for interrogation.

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any



police officer or tamper with the evidence;

[c] the petitioners shall not leave India without the previous permission of the Court;

[d] the petitioners 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 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

17-12-2025

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To

1.State Rep By its, The Inspector of
Police,
Thevoor Police Station, Salem District.
(Crime No.290 of 2025).

2. The Judicial Magistrate -I, Sankari.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.

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