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Crl.OP.No.34526 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.34526 of 2025

1. Tabassum Kousar
2. Sayed Salim

... Petitioners

Vs.

The State rep by
The Inspector of Police,
Virinchipuram Police Station,
Vellore District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent police in Crime No.259 of 2025 pending on the file of the respondent.

For Petitioners : Mr.Pradeep

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 303(2) of BNS and Section 21(4) of Mines and Minerals (Development & Regulation) Act in Crime No.259 of 2025, on the file of the respondent police seek anticipatory bail.



2. The allegation against the petitioner is that when the respondent police was in regular patrol, they found that the petitioner has involved in illegal transportation of 25 blocks of granite stones by using expired e-permit and the same was seized by the respondent police.

3. The learned counsel appearing for the petitioners submitted that the petitioner is only the owner of the vehicle and was not aware of the permit allegedly used by the owner of the granite stones. Therefore, he prayed that anticipatory bail be granted to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the property has been seized and that the allegation is that the petitioner transported granite blocks using an expired e-permit. Hence, he opposed the grant of anticipatory bail to the petitioners.

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

6. Considering the nature of the allegations and the fact that the property has already been seized from the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain 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, before the learned **Judicial**
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Magistrate-IV, Vellore on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(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;

(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 first petitioner being a lady shall report before the respondent police daily at 10.30 a.m., for a period of one week and thereafter as and when required for interrogation and the second petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two 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 anticipatory bail by the learned Magistrate/Trial



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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 Act.

17.12.2025

Vv

To

1. The ***Judicial Magistrate-IV, Vellore***

2. The Inspector of Police,
Virinchipuram Police Station,
Vellore District

3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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