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Criminal Original Petition No.35705 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.12.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

Criminal Original Petition No.35705 of 2025

Arivazhagan

S/o.Paramasivam

... Petitioner

Vs.

State represented by
The Inspector of Police,
Kavarapettai Police Station,
Thiruvallur District.
Crime No.255 of 2025

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023, praying to enlarge the petitioner on bail in the event of his arrest concerned in Crime No.255 of 2025 on the file of the Inspector of Police, Kavarapettai Police Station, Thiruvallur District on such terms and conditions.

For Petitioner : Mr.P.Chandra Sekar

For Respondent : Mr.S.Udaya Kumar
Government Advocate [Crl.side]



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ORDER

The petitioner / Accused-1, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 303(2) and 326(a) of B.N.S. read with Section 21(1) of MMDR Act in connection with the case in Crime No.255 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on 15.12.2025, the de-facto complainant, who is the Thasildar lodged a complaint with the respondent police alleging that the petitioner's lorry illegally transported five units soud sand without permission.

3. Learned counsel for the petitioner would contend that the petitioner is an innocent person and he has been falsely implicated in this case and hence prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), reiterated the prosecution case and on instructions, would submit that the respondent police seized the sand and the vehicle and the petitioner has one previous case, which has been already disposed of.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.



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6. Considering the nature of allegations and considering the fact that the respondent police seized the vehicle with soud sand and that the petitioner is on bail in the previous case and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

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 on which the order copy made ready, before the learned **District Munsif cum Judicial Magistrate, Gumudipoondi** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner shall report before the respondent on every Saturday for a period of four weeks.

[b] the petitioner 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;

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

[d] the petitioner 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 petitioner in accordance with law as if the 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)AIR SCW 5560].

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

30.12.2025

Neutral Citation:Yes/No
mk/mp

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 official website of this Court will be watermarked and will also have a QR code.



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To

- 1.The Inspector of Police,
Kavarapettai Police Station,
Thiruvallur District.
Crime No.255 of 2025.
2. District Munsif cum Judicial Magistrate,
Gumudipoondi.
- 3.The Public Prosecutor,
High Court, Madras.



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P.DHANABAL, J

mk/mp

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