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CrI.O.P.No.35521 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.12.2025

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

CrI.O.P.No.35521 of 2025

Balamurugan

... Petitioner

Vs.

The State rep. by its
The Inspector of Police,
Bagayam Police Station,
Vellore District.
(Crime No.339 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, 2023 to enlarge the petitioner on bail in connection with Crime No.339 of 2025 on the file of the respondent police.

For Petitioner : Mr.D.Padmanabhan

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (CrI.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.11.2025 for the alleged offences punishable under Sections 303(2), 326(a) of BNS read with Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.339 of 2025, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner along with other accused illegally transported 8 units of river sand in a lorry bearing Reg.No.TN 23 BB 0391 from Andhra Pradesh to Tamil Nadu. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the co-accused has been released on bail. However, there is one previous case against the petitioner. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.



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6. Considering the nature of offence and the period of incarceration undergone by the petitioner and the fact that the co-accused has been released on bail, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on his executing 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 Judicial Magistrate-I, Vellore**, and on further conditions that:-

[b] **the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of 30 days and thereafter as and when required for interrogation;**

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] 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 him from disclosing such facts to the Court or to any police officer



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or tamper with the evidence;

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[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

30.12.2025

Anu

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



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To
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1.The Judicial Magistrate-I,
Vellore

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

3.The Superintendent,
Central Prison, Vellore

4.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

Anu

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