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CRL OP No. 35570 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

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THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35570 of 2025

Vijayakumar

Petitioner(s)

Vs

1. State by, Inspector of Police
Bakayam Police Station,
Vellore District.
Crime No.339 of 2025

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of BNSS, pleaded to enlarge the petitioner on bail in the event of arrest by the respondent police in Crime. No.339/2025 on the file of the respondent police.

For Petitioner(s): Mr.D.Thirumoorthy
For Respondent(s): Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner / accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) and 326(a) of BNSS Act, 2023 and Section 21(1) of Mines and Minerals (Development Regulation) Act, 1957 in connection with the Cr.No.339 of 2025 seeks anticipatory bail.

2. The case of the prosecution is that on 22.11.2025, the petitioner was found to be in possession of 8 unit of River sand in a Lorry bearing Registration No.TN-23-BB-0391 without obtaining valid permission. Hence, the complaint.



3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, and he has been falsely implicated by the respondent police and he is in no way connected with the offences as alleged by the prosecution. He further submitted that there is no previous case filed as against 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 name has not been found in the FIR.

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

6. Considering the nature of offence and the fact that the petitioner's name does not find place in the FIR and also the fact that no previous cases which are similar in nature are pending against petitioner, and also considering all other factors, I am inclined to grant anticipatory bail to the petitioner subject to the following 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 (15) days from the date on which the order copy made ready, before the learned **Judicial Magistrate I, Vellore**, 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police, **on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.**

[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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[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 abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

30-12-2025

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P. DHANABAL,J.,

vum/dh

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.

To

1.The Inspector of Police
Bakayam Police Station,
Vellore Distict.

2. The Judicial Magistrate I, Vellore.

3. The Public Prosecutor,
Madras High Court, Chennai.

30-12-2025