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CRL OP No.35403 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL OP No. 35403 of 2025

Munusamy
S/o.Viswanatha Reddy,
Periavattu, Ramapuram, Tada mandal,
Nellore, Andra Pradesh.

Petitioner(s)

Vs

State by,
The Inspector of Police,
C5-Vengal Police station,
Thiruvallur District.
Cr.No.264 of 2025.

Respondent(s)

Criminal Original Petition filed under Section 482 of B.N.S.S. to grant anticipatory bail to the petitioner in the event of his arrest in Crime No.264 of 2025 pending on the file of the respondent.

For Petitioner(s): Mr.S.Sasikumar

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



ORDER

The petitioner/accused, 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. in connection with the Crime No.264 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused were found in possession of 8 units of river sand in a lorry bearing registration No.AP 39 TZ 7071. Hence, the case.

3. The learned counsel for the petitioner submitted that a false case has been foisted against the petitioner and that since the material objects have been seized, custodial interrogation is not required in this case. He further submitted that the petitioner has been falsely implicated in this case and he is innocent of the offences as alleged. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the case of the prosecution and submitted that the sand along with the vehicle has been seized by the respondent police. He would further submit that there are two previous cases pending against the petitioner and hence, he opposed for grant of anticipatory bail to the petitioner.



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

6. Considering the rival submissions on either side and nature of offences and also considering the fact that the material objects were seized by the respondent police and since the custodial interrogation of the petitioner is not required for the purpose of investigation, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. Accordingly, this criminal original petition is allowed and 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 **Judicial Magistrate No.I, Thiruvallur**, 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 and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[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, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer;

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

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

[f] 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]; and

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

30-12-2025

nsd
Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



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.

To

1. The Judicial Magistrate No.I, Thiruvallur.

2.The Inspector of Police,
C5-Vengal Police station,
Thiruvallur District.

3.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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