



Criminal Original Petition No.35614 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.35614 of 2025

1.Sathiyaraj
S/o.Selvaraj @ Thangaraj

2.Veeramani
S/o.Kaliyaperumal

... Petitioners

Vs.

The State represented by its
The Sub-Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
Crime No.636 of 2025

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023, praying to enlarge the petitioners on bail in the event of their arrest in Crime No.636 of 2025 on the file of respondent police.

For Petitioners : Ms.Raji

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



ORDER

The petitioners / Accused- 1 & 2, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 303(2) of B.N.S. read with Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in connection with the case in Crime No.636 of 2025, seek anticipatory bail.

2. The case of the prosecution is that the petitioners were found to be in possession of ½ unit of river sand in vehicle bearing Registration No.TN 72 AM 9646 without valid permission.

3. Learned counsel for the petitioner would submit that the petitioners were falsely implicated in this case. However, the respondent Police is trying to arrest the petitioners and hence prayed for anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side), per contra, would submit that the respondent police seized the sand and the vehicle. He would further submit that A2 has one previous case and investigation is pending, hence opposed to grant anticipatory bail to the petitioner.



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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.

6. Considering the nature of allegations and the quantity of river sand involved in this case and since the custodial interrogation of the petitioners are not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. Accordingly, the petitioners are 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 **Judicial Magistrate No.II, Ulundurpet**, on condition that the petitioners 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 petitioners shall report before the respondent police on every Saturday for a period of four weeks.

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of



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the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

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Neutral Citation: Yes/No
mk/mp



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To
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- 1.The Sub-Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
Crime No.636 of 2025
2. Judicial Magistrate No.II, Ulundurpet,
- 3.The Public Prosecutor,
High Court, Madras.



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P.DHANABAL, J

mk/mp

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