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Crl.O.P.No.35608 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.12.2025

CORAM

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

Crl.O.P.No.35608 of 2025

Balaguru

... Petitioner

Vs.

The State Rep. By its
The Special Sub-Inspector of Police,
Edaikkal Police Station,
Kallakurichi District.
(Crime No.253 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, pleaded to enlarge the petitioner on bail in the event of his arrest by the respondent police concerned in Crime No.253 of 2025 on the file of the respondent police.

For Petitioner : Ms.R.Renukadevi
For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner / accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS Act, 2023 r/w. Section 21(1) of Mines and Minerals (Development Regulation) Act, 1957 in connection with the Cr.No.253 of 2025 seek anticipatory bail.



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2. The case of the prosecution is that on 13.12.2025, when the Assistant Geologist, Geography and Mines, Kallakurichi was in routine check up, found the petitioner was transported 3 units of pebbles in a vehicle bearing Registration No.TN 45 BC 5949 without valid permission.

3. Learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays 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 petitioner has no previous case pending against him.

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, nature of material and Quantity involved in this case and the fact that the petitioner has no previous case, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.



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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 **Judicial Magistrate No.II, Ulundurpet** 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 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.

[c] **the petitioner shall report before the respondent police every Saturday at 10.30 a.m for a period of four weeks;**

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[e] the petitioners 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].

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

30.12.2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

dh/vum

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 Judicial Magistrate No.II,
Ulundurpet.
- 2.The Special Sub-Inspector of Police,
Edaikkal Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court, Madras.



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P.DHANABAL, J.

dh/vum

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