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CrI.O.P.No.35611 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.35611 of 2025

1. Dhamodharan

2. Veeramani

... Petitioners

Vs.

The State Rep. By
The Inspector of Police,
Oomangalam Police Station,
Cuddalore District.
(Crime No.134 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.134 of 2025 on the file of the respondent police.

For Petitioners : Mr.M.Arjunan
For Respondent : Mr.S.Udaya Kumar
Government Advocate (CrI.Side)

ORDER

The petitioners / accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) BNS Act, 2023 and Section 21(1) of Mines and Minerals (Development



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Regulation) Act, 1957 in connection with the Cr.No.134 of 2025 seek anticipatory bail.

2. The case of the prosecution is that on 06.09.2025, the petitioners were found to be in possession of 6 units of pebbles in two vehicles without obtaining valid permission. Hence, the complaint.

3. Learned counsel for the petitioners submitted that the petitioners are innocent persons, and they have been falsely implicated by the respondent police and they are 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 vehicles and the petitioners have no previous case. This is a second application seeking Anticipatory bail.

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



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6. Considering the nature of offence, quantity of the material seized and the fact that no previous cases which are similar in nature are pending against petitioners, and also considering all other factors, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the learned **District Munsif cum Judicial Magistrate, Neyveli**, on condition that the petitioners shall execute a separate 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 at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.**

[b] the petitioners 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;



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[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.

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 District Munsif cum Judicial Magistrate,
Neyveli.
2. The Inspector of Police,
Oomangalam Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court, Madras.



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P.DHANABAL, J.

dh/vum

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