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CRL OP No. 35675 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35675 of 2025

Rabert Rasu P
111, Keezhaandagathurai,
Parandhiyankarai, Nagapattinam.

Petitioner(s)

Vs

State Rep. by
The Inspector of Police, Kariyapattinam
Police Station, Nagapattinam District.
Crime No.190 of 2025.

Respondent(s)

PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., praying to grant anticipatory bail to the petitioner in Crime No.190 of 2025 on the file of the respondent police.

For Petitioner(s): M/s.Swami Subramanian

For Respondent(s): Mr. S.Udaya Kumar
Government Advocate
[Criminal Side]



ORDER

The petitioner, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 303(2) of Bharatiya Nyaya Sanhita and section 21 (1) of Mines and Minerals (Development & Regulation) Act, 1957, in connection with the case in Crime No.190 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found to be in possession of 1 unit of sand in vehicle bearing Registration No. TN 48 BW 8877.

3. Learned counsel for the petitioner would contend that a false case has been foisted against the petitioner, the material objects have been seized; that the custodial interrogation is not required in this case and hence prayed 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 respondent police seized the sand and the vehicle and the petitioner has no previous case.



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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, 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, and the petitioner has no previous case, this Court is inclined to grant anticipatory bail to the petitioner on certain 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 days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Vedaranyam** 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:



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[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.

[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].

[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
av/dsa

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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,
Kariyapattinam Police Station,
Nagapattinam District.
2. The Judicial Magistrate, Vedaranyam.
3. The Public Prosecutor, High Court, Madras.



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P.DHANABAL J.

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