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Crl.O.P.No.36082 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2025

CORAM

THE HONOURABLE Mr.JUSTICE P.DHANABAL

Crl.O.P.No.36082 of 2025

Elangovan

... Petitioner

Vs

State Rep. by
The Inspector of Police
Arcot Town Police Station,
Arcot Town.
(Crime No.494/2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on bail in the event of his arrest in Crime No.494 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr. A.Nirmal Kumar Sharma

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

ORDER

The petitioner, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 303(2) and 326(a) BNS, in



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connection with Cr.No.494 of 2025, seek anticipatory bail.

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2 The case of the prosecution is that on 26.11.2025, during the routine inspection, it was found that the petitioner was attempting to involve in illegal theft of 5 units of river sand in Lorry bearing Reg.No.TN-52-L-0423. Hence, a case was registered in Cr.No.494/2025 for the alleged offences under Sections 303(2) and 326(a) BNS.

3 The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the respondent police and only based on the confession statement of the co-accused, he has been implicated in the present case. Hence, he seeks anticipatory bail.

4 The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner attempted to involve in illegal river sand theft by Lorry and the vehicle was seized. Hence he opposed to grant anticipatory bail to the petitioner.



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

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6 Considering the nature of the offence and the fact that there is no previous case pending against the petitioner and he has been implicated only based on the confession statement of co-accused, I am inclined to grant anticipatory bail to the petitioner subject to the following 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 **Judicial Magistrate No.I, Walajah**, 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 shall report before the respondent-police daily at 10.30 a.m. for a period of 30 days.

[b] 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 him from disclosing such facts to the Court or to any police officer;

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



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[d] the petitioner 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 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].

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

30.12.2025

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To

1. The Inspector of Police, Arcot Town Police Station, Arcot Town.
2. The Judicial Magistrate No.I, Walajah.
3. The Public Prosecutor, Madras High Court.



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P.DHANABAL, J.,

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