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Crl.O.P.No.36138 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.36138 of 2025

Seethapathy

... Petitioner/Accused

Vs.

The State Rep. by,
The Inspector of Police,
Nemili Police Station,
Ranipet District.
(Crime No.431 of 2025)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of BNSS Act, 2023 and 438 Cr.P.C., praying to enlarge the petitioner on Bail in the event of his arrest in connection with Crime No.431 of 2025 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 apprehends arrest for the alleged offences under Sections 326(a), 303(2) of BNS, 2023 in connection with Crime No.431 of 2025, on the file of the respondent police seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner joining hands with other accused involved in illegal transportation of five units of morambu sand, without any valid license. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is a farmer and had transported sand only for their own purpose. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner had involved in illegal transportation of five units of morambu sand and that he has no previous case pending against him. However, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either



side, the nature of offence, the material involved in this case and also the fact that no previous case is pending against the petitioner, this Court is inclined to grant **anticipatory bail** to the petitioner with 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 (15) days from the date of receipt of a copy of this order before the **Judicial Magistrate No.1, Walajah** on condition that the petitioner 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 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 condition 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.

[b] **the petitioner shall report before the respondent-police on every Saturday at 10.30 a.m., for a period of four weeks.**

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

[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)13 SCC 283]**.

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

30.12.2025

vm/Jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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:

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- 1.The Judicial Magistrate No-I,
Walajah District.
- 2.The Inspector of Police,
Nemili Police Station,
Ranipet District.
- 3.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL,J.

vm/Jd

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