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CrI.O.P.No.36026 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.36026 of 2025

Meganathan

... Petitioner

Vs.

State Rep. By
The Special Sub-Inspector of Police,
Kannamangalam Police Station,
Tiruvannamalai District.
Crime No.463 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 pending in Crime No.463 of 2025 on the file of the respondent police.

For Petitioner : Mr.Venkatesan S L

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



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ORDER

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The petitioner / accused No.2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) and 326 of BNSS Act, 2023 and Section 21(1) of Mines and Minerals (Development Regulation) Act, 1957 in connection with the Cr.No.463 of 2025 seek anticipatory bail.

2. The case of the prosecution is that on 08.11.2025, the first accused in the First Information Report, who is the driver of the vehicle i.e., Ashok Leyland Tipper Lorry bearing No.TN38 AU 0525, was found transporting of two units of gravel sand without obtaining valid permission. Hence, the complaint.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, and he has been falsely implicated by the respondent police upon the confession statement of the first accused and he is in no way connected with the offences as alleged by the prosecution. He further submitted that the vehicle was also handed over to the first accused. He further submitted that there is no previous case filed as against the petitioner.



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4. Learned Government Advocate (Criminal Side) would submit that

on the date of the alleged occurrence, when the respondent police along with his police parties, conducted routine vehicle check up, at that time, they found the first accused in the First Information Report, illegally transporting two units of gravel sand in a lorry and that the first accused is the driver of the lorry. He further submitted that based on the confession of the first accused person, this petitioner was arrested; and that during investigation, it was revealed that the accused are transporting two units of gravel sand without any valid permission; and that the petitioner has no previous case, pending against him. However, he strongly objected to grant anticipatory bail to the petitioner.

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

6. Considering the representation made by both side counsel, nature of offence, nature and quantity of material involved in this case and the fact that no previous cases are pending against petitioner, and also considering all other factors, I am inclined to grant anticipatory bail to the petitioner subject to the following 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 (15) days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Arni, Tiruvannamalai district**, 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, **on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.**

[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 or tamper with the evidence;

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

[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



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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

grs/jai

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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P.DHANABAL, J.

grs/jai

To

1. The Judicial Magistrate,
Arni, Tiruvannamalai District.
2. The Special Sub-Inspector of Police,
Kannamangalam Police Station,
Tiruvannamalai District.
3. The Public Prosecutor,
High Court, Madras.

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