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CRL OP No. 36021 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 36021 of 2025

1. Suriya

2. Vairavel

Petitioner(s)

Vs

State rep by the Inspector of Police,
Natrampalli Police Station,
Natrampalli, Tirupathur District.
(Crime No. 409 of 2025)

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS to enlarge the petitioners on bail in the event of their arrest in crime No.409 of 2025 on the file of the Inspector of Police, Natrampalli Police Station, Natrampalli, Tirupathur District.

For Petitioner(s): Vinodh Kumar

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

ORDER

The petitioners / Accused 1 & 2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2), 326(a) of BNS 2023 (379, 430 of IPC) and Section 21(1) of Mines and Minerals



(Development & Regulation) Act, 1957 in connection with the Cr. No.409 of 2025, seek anticipatory bail.

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2. The case of the prosecution is that on 07.12.2025, when the respondent police along with his police parties were conducted routine vehicle check up at Vaniyambadi to Krishnagiri NH Main Road, at that time, they found the petitioners along with other accused persons were illegally transporting 1 ½ units of sand in a lorry, without 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 the petitioners are the owner of lorries and their vehicle was used without their instructions. However, he prayed to grant anticipatory bail to the petitioners.

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 were conducted routine vehicle check up at Vaniyambadi to Krishnagiri NH Main Road, at that time, they found the petitioners along with other accused persons were illegally transporting 1 ½ units of sand in a lorry



and that the petitioners are the owners of the lorries. He further submitted that the petitioners have no previous cases, pending against them. However, he strongly objected to grant anticipatory bail to the petitioners.

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

6. Considering the representation made by both side counsel, nature of offence, and the fact that no previous cases are pending against petitioners, already entire properties were seized 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 **Judicial Magistrate No.III, Thirupathur**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 everyday 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[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

jai/grs



To

1. The Inspector of Police,
Natrampalli Police Station,
Natrampalli, Tirupathur District.
2. The Judicial Magistrate No.III,
Thirupathur.
3. The Public Prosecutor,
High Court of Madras.



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P.DHANABAL J.

jai/grs

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