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CRL OP No. 36083 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

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THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 36083 of 2025

1.Bakthavathchalam
2.Yogesh

Petitioner(s)

Vs

State Rep. by,
The Inspector of Police,
Arni Taluk Police Station,
Tiruvannamalai District.
Crime No.805 of 2025.

Respondent(s)

PRAYER

To enlarge the petitioners on bail in the event of arrest by the respondent police or on his appearance before the concerned court in connection with crime No.805 of 2025 (on the file of Inspector of Police, Arani Taluk Police Station, Tiruvannamalai Disurict.

For Petitioner(s): Mr.Kalaikumar S

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

ORDER

The petitioners, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 303(2), 326(a) of the Bharatiya Nyaya Sanhita (BNS), 2023 read with Section 21(1) of Mines and



Minerals (Development and Regulation) Act, 1957 in connection with the case in Crime No.805 of 2025, seek anticipatory bail.

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2. The case of the prosecution is that the petitioners were found to be in possession of one Unit of sand without any valid documents, in an unregistered Tractor bearing no Registration Number.

3. Learned counsel for the petitioners 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 petitioners.

4. The learned Government Advocate (Criminal Side) appearing on behalf of the respondent, per contra, would submit that the respondent police seized the sand and the vehicles, investigation is pending and strongly opposed.

5. Heard the learned counsel for the petitioners 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 petitioners is not required for the purpose of investigation, and no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioners on certain 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 days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Arani** on condition that the petitioners 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:

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

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



[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.

30-12-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

Jeni

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

- 1.The Judicial Magistrate, Arani
- 2.The Inspector of Police,
Arani Taluk Police Station,
Tiruvannamalai District.
- 3.The Public Prosecutor, Madras High
Court, Chennai.

CRL OP No. 36083 of 2025





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P.DHANABAL J.

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