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CrI.O.P.No.36012 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.36012 of 2025

Manigandan

... Petitioner

Vs.

State rep. By
Inspector of Police,
Hudco Police Station,
Krishnagiri District.
Crime No.402 of 2025

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS Act, pleaded to enlarge the petitioner on bail in the event of his arrest by the respondent police in Crime No.402 of 2025 pending on the file of the respondent police.

For Petitioner : M/s.Radha pandian

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



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ORDER

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The petitioner / accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNSS Act, 2023 and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in connection with the Crime No.402 of 2025 seek anticipatory bail.

2. The case of the prosecution is that on 16.12.2025, when the respondent police along with other police party were in vehicle check, they found the petitioner transporting M-sand of 4 units in a tipper lorry bearing No.KA 59 1291 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 and he is in no way connected with the offences as alleged by the prosecution. He further submitted that the petitioner is the driver of the said vehicle and that there are no previous cases against the petitioner.

4. Learned Government Advocate (Criminal Side) would submit that on the date of the alleged occurrence, when the respondent police along with



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his police parties were conducted routine vehicle check up, at that time, they found the petitioner was illegally transporting lake sand in a lorry and that the petitioner is the driver of the lorry. He further submitted that during investigation, it was revealed that the petitioner was transporting four units of M-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, the 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.

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 No.II, Hosur**, on condition that the petitioner shall execute a



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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 as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



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[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 No.II,
Hosur.
2. The Inspector of Police,
Hudco Police Station,
Krishnagiri District.
3. The Public Prosecutor,
High Court, Madras.

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