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CrI.O.P.No.36015 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.36015 of 2025

Elumalai

... Petitioner

Vs.

State by
Inspector of Police,
Katpadi Police Station,
Vellore District.
(Crime No.366 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 concerned in Crime No.366 of 2025 on the file of Inspector of Police, Katpadi Police Station, Vellore district on his appearance before the concerned Court.

For Petitioner : Mr.Sasikumar S

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



CrI.O.P.No.36015 of 2025

ORDER

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The petitioner / accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) and 326(a) of BNSS Act, 2023 and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in connection with the Cr. No.366 of 2025 seek anticipatory bail.

2. The case of the prosecution is that on 25.09.2025, when the Assistant Director of Mines Department conducted routine vehicle check, he found that the petitioner's lorry bearing registration No.AP39 UC 8026 was illegally transporting 8 units of 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 and he is in no way connected with the offences as alleged by the prosecution. He further submitted that the petitioner is the owner of the said vehicle and that his vehicle was used without his instructions. He further submitted that no previous cases are filed against the petitioner.



Crl.O.P.No.36015 of 2025

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

on the date of the alleged occurrence, when the Assistant Director of Mines Department conducted routine vehicle check up, at that time, he found the petitioner's vehicle was illegally transporting 8 units of sand and that the petitioner is the owner of the lorry. He further submitted 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, and the fact that already, the sand was seized with vehicle, 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, Katpadi**, on condition that the petitioner shall execute a bond



Crl.O.P.No.36015 of 2025

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, **daily at 10.30 a.m., for a period of 30 days 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].



CrI.O.P.No.36015 of 2025

WEB COPY

[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.



Crl.O.P.No.36015 of 2025

P.DHANABAL, J.

grs/jai

To

1. The Judicial Magistrate,
Katpadi.
2. The Inspector of Police,
Katpadi Police Station,
Vellore District.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.36015 of 2025

30.12.2025