



CrI.O.P.No.35975 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.35975 of 2025

1. Suresh

2. Gnanasekar

3. Vinoth

4. Nagaraj

... Petitioners

Vs.

State rep. By
The Inspector of Police,
Walajapet Police Station,
Ranipet District.
Crime No.494 of 2025

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS,
pleased to enlarge the petitioners on bail in the event of their arrest in
connection with Crime No.494 of 2025 on the file of the respondent Police.

For Petitioners : Mr.V.Manimaran

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



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ORDER

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The petitioners / 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.494 of 2025 seek anticipatory bail.

2. The case of the prosecution is that on 09.12.2025, a complaint was received alleging that soil was being illegally excavated without proper permission in the Govindancheri, Sholingur area. Based on the said complaint, the Sholingur taluk, Tahsildar had issued proceedings over permitting the free removal of 500 cubic metres of silt soil from Govindacheri lake, Sholingur taluk vide Certificate No.TN/12020251112158, dated 06.12.2025. However, in violation of the said proceedings, six units of savudu sand was illegally transported. Hence, the complaint.

3. Learned counsel for the petitioner 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 there are no previous cases filed



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against the petitioners.

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4. Learned Government Advocate (Criminal Side) would submit that on the date of the alleged occurrence, on a complaint, dated 09.12.2025 received by the respondent Police, the petitioners were found to be illegally transporting six units of savudu sand. He further submitted that during investigation, it was revealed that the accused are transporting the sand without any valid permission; and 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, the material involved in this case and the fact that no previous cases are pending against petitioners, 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



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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.I, Walajapet, 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 learned Magistrate

concerned and on further condition that:

[a] the petitioners 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 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 him 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



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[(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.I,
Walajapet.
2. The Inspector of Police,
Walajapet Police Station,
Ranipet District.
3. The Public Prosecutor,
High Court, Madras.

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