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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.1331 of 2026

1. Venkatesan
2. Praveen Kumar

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
Bagayam Police Station,
Vellore District
(Crime No.339 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioners on bail in Crime No.339 of 2025 on the file of the respondent police.

For Petitioners : Mr.S. Silambuselvan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 23.11.2025, for the alleged offence punishable under Sections 303(2), 326(a) of BNS 2023, r/w Section 21(1) of M&M (D&R) Act 1957 in Crime No.339 of 2025 on the file of the respondent police seek bail.



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2. The allegation against the petitioners is that they joined hands with other accused involved in transportation of 8 units of river sand from Chithoor Baguda river and transported the same to Tamil Nadu in a lorry and the vehicle was intercepted by the respondent police. Hence, a case was registered and the petitioners were arrested.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and petitioners are in judicial custody since 23.11.2025. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and sought for bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioners are ranked as A1 and A2 and A1 is having one previous case and A2 is having 9 previous cases. He further submitted that the co-accused was granted bail by this Court in Crl.O.P.No.34603 of 2025 on 17.12.2025 and opposed for grant of bail to the petitioners.

5. Heard both sides and perused the materials available on record including the First Information Report.



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6. Considering the above facts and circumstances of the case and the fact that the second petitioner/A2 is having nine previous cases, **this petition is dismissed for second petitioner/A2** and considering the submissions made by the learned counsel on both sides, the fact that there is one previous cases pending against the first petitioner/A1 and considering the period of incarceration undergone by the first petitioner I am inclined to grant bail to the first petitioner/A1 with certain conditions.

7. Accordingly, the first petitioner/A1 is ordered to be released on bail on her executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties each, for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Vellore** and on further conditions that:

[a] 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 first petitioner/A1 shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[c] the first petitioner/A1 shall not abscond either during investigation or trial;



[d] the first petitioner/A1 shall not tamper with the evidence or witness 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 first petitioner/A1 in accordance with law as if the conditions have been imposed and the first petitioner/A1 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 6900];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

22.01.2026

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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 the official website of this Court will be watermarked and will also have a QR code.



To

1.The Judicial Magistrate No.I, Vellore

2.The Inspector of Police,
Bagayam Police Station,
Vellore District

3.The Superintendent,
Central Prison, Vellore

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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