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CRL OP No. 622 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 622 of 2026

S.Munusamy

Petitioner(s)

Vs

State Rep. by
The Inspector of Police,
F-3 Arambakkam Police Station,
Thiruvallur District.
Cr.No.191 of 2025.

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to grant an anticipatory bail to the petitioner in the event of his arrest in Cr.No.191 of 2025 pending investigation on the file of the respondent police.

For Petitioner(s): Mr.Dinesh Kumar

For Respondent(s): Ms.J.R.Archana
Govt. Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS, in Crime No.191 of 2025 on the file of the respondent Police, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner had illegally transported 1 unit of river sand in his trailer bearing Registration No.AP 03 TD 7563 without any transit pass. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He submits that he has not committed any offence as alleged by the prosecution. He also submits that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that the co-accused has been granted anticipatory bail by this Court in Crl.O.P.No.35988 of 2025, dated 30.12.2025. She further submitted that the petitioner has no previous case. However, she vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Considering the above submission made by the learned counsel on either side, and also taking into account the fact that the petitioner has no



previous case, and that the co-accused has already been granted anticipatory bail by this Court in Crl.O.P.No.35988 of 2025, dated 30.12.2025, on the ground of parity, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **District Munsif cum Judicial Magistrate Court, Gummudipundi**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] **if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of copy of this order, this Order shall stand automatically cancelled;**

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;



[c] the petitioner 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;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

12-01-2026

Jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The District Munsif cum Judicial Magistrate Court,
Gummudipundi.

2. The Inspector of Police,
F-3 Arambakkam Police Station, Thiruvallur District.
Cr.No.191 of 2025.

3. The Public Prosecutor, High Court of Madras, Chennai.



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K.RAJASEKAR J.
Jd

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