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Crl.O.P.No.812 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2026

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THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.812 of 2026

Ramesh

... Petitioner/A2

Vs.

The State Rep. by
Inspector of Police,
Pernampet Police Station,
Vellore District.
(Crime No.386 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in event of arrest pending investigation in Crime No.386 of 2025 on the file of the respondent police.

For Petitioner : Mr.A.Vijayakumar
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence **under Section 303(2) of BNS Act**, in **Crime No.386 of 2025** on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that while the Assistant of Mines and Minerals Department, Vellore on patrol duty, was found that the



petitioner along with other accused illegally transporting 10 Tons of fencing stone in a Lorry without any valid permit/licence. Hence, a case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the defacto complainant and he has been falsely implicated in this case. He further submitted that co-accused in this case already released on bail by this Court in Crl.O.P.No.35775 of 2025 dated 30.12.2025 and that he is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that totally there are two accused in this case and that the petitioner is ranked as A2. She further submitted that the offence committed by the petitioner is grave in nature and that investigation in this case is still pending. Hence, she opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side); the



nature of allegations levelled against the petitioner; and also the fact that co-accused/A1 in this case already released on bail by this Court. Hence, on the ground of parity, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain 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 is made ready, before the **learned Judicial Magistrate Court, Gudiyatham, Vellore District**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a 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 identify proofs to ensure their identity;

K.RAJASEKAR, J.

ssi



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Crl.O.P.No.812 of 2026

(c) The petitioner shall report before the respondent Police everyday 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 aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

21.01.2026

ssi

To

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

Crl.OP.No.812 of 2026