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Crl.O.P.No.1111 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.1111 of 2026

Usha D/o.Bathaiah

... Petitioner

Vs

The State Rep. By,
The Inspector of Police,
Pathirivedu Police Station,
Thiruvallur District.
(Crime No.1 of 2026)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent in Crime No.1 of 2026 on the file of the respondent police.

For Petitioner : Mr. Vishnu P

For Respondent : M/s. J.R. Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) and 326(a) of BNS Act and 21(1) of Mines and Minerals (Development & Regulation) Act, in Crime No.1 of 2026 on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that when the respondent police was conducting a raid, the petitioner's lorry was involved with illegal transportation of 9 units of River sand from the State of Andhra Pradesh. After seeing the police party, the driver of the vehicle ran away from there. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case and has not involved in any offences as alleged by the prosecution; and that the petitioner is ready to abide by any conditions that may be imposed by this Court, hence sought for 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 as per the complaint, the petitioner who is the owner of the lorry in which 9 units of River sand was illegally transported and that the investigation of this case is pending and there is no previous case as against the petitioner and no one is arrested in this case.



5. Considering the submissions made, facts and circumstances of this case, nature of allegation, the fact that there is no previous case as against the petitioner and the petitioner is only the owner of the vehicle and being lady, 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 her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned District-cum-Judicial Magistrate, Gumidipoondi**, 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



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of the identity proofs to ensure their identity;

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[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of two 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.

21.01.2026

ssa

To

1. The District-cum-Judicial Magistrate, Gumidipoondi,
2. The Inspector of Police,
Pathirivedu Police Station,
Thiruvallur District.
(Crime No.1 of 2026)
3. The Public Prosecutor,
High Court of Madras.

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K. RAJASEKAR, J.

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