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Crl.O.P.No.5264 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.5264 of 2026

Maddu Muni Babu

... Petitioner

Vs.

State rep., by
The Inspector of Police,
Arambakkam Police Station,
Arambakkam, Gummidipoondi Taluk,
Tiruvallur District – 601 201.
(Crime No.9 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Crime No.9 of 2026 on the file of the respondent police.

For Petitioner : Mr. S.V. Vasantha Kumar

For Respondent : Mr. P. Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 303(2) and 326(a) of BNS, 2023 in Crime No.9 of 2026 on the file of the respondent police, seeks anticipatory bail.



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Crl.O.P.No.5264 of 2019



2. The case of the prosecution is that the petitioner is alleged to have illegally transported one unit of river sand using a tractor. Hence, the case.

3. The learned counsel for the petitioner submitted that the sand was taken only for his personal use.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent submitted that there is no previous case against the petitioner. However, the investigation is still pending.

5. Taking into consideration of the submission made by the learned counsel for the petitioner that the one unit of river sand was transported for his personal use to his native village, which is situated in Andhra Pradesh, considering the above peculiar facts of the case, though this Court serious about the illegal transportation of river sand, deems it appropriate to enlarge the petitioner on anticipatory bail, subject to 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 (15) days from the date on which the order copy is made ready, before the **learned District Munsif Cum Judicial Magistrate Court at Gummidipoondi**, 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;

(c) The petitioner shall report before the respondent Police, everyday 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 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.

02.03.2026

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To

1.The District Munsif Cum Judicial Magistrate Court,
Gummidipoondi.

2.The Inspector of Police,
Arambakkam Police Station,
Arambakkam, Gummidipoondi Taluk,
Tiruvallur District – 601 201.

3.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN.J.

AT

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