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Crl.O.P.No.5517 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.5517 of 2026

Mahalingam

... Petitioner

Vs.

State rep by
The Inspector of Police,
Ariyoor Police Station,
Vellore District.
(Crime No. 03 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 in Crime No.03 of 2026 on the file of the respondent police.

For Petitioner : Mr.K.Sathish Kumar

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 303(2) & 326(a) of BNS Act, 2023 in Crime No.03 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that based on secret information, the respondent police intercepted and searched the vehicle and found that the petitioner had illegally transported 25 tons of silica sand. Hence, a case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner/A2 is the owner of the vehicle and the driver of the vehicle/A1 has already been released on bail in Crl.MP.No.590 of 2026 dated 17.02.2026 by the learned Principal Sessions Judge, Vellore. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent did not dispute the said submission made by the learned counsel for the petitioner. He further submitted that the petitioner has no previous cases pending against him. Hence, he opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions.

6. From the submissions made by the learned counsel on either side, it is seen that the petitioner has no bad antecedents. In such a view of the position, this Court deems it appropriate to enlarge the petitioner on anticipatory bail, 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 No.I, Vellore, 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;

(c) **The petitioner shall report before the respondent Police, twice daily at 10.30 a.m., and 5.30 p.m., for a period of two weeks and thereafter once in the morning for a further 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]***;



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

04.03.2026

DRL

To

1.The Judicial Magistrate No.I,
Vellore, Vellore District.

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

3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN.J.

DRL

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