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CRL OP No. 11061 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-05-2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CRL OP No. 11061 of 2026

Sarathkumar

..Petitioner(s)

Vs

State Rep. by Inspector of Police
Taluk Police Station Villupuram,
Villupuram District.
(Crime No. 173 of 2026)

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS Act, 2023, seeking to enlarge the Petitioner on anticipatory bail in the event of the arrest pending investigation in Crime No. 173 of 2026 on the file of respondent police and thus render justice.

For Petitioner(s): Mr.Saravanabhavan G

For Respondent(s): Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 303(2) of BNS r/w 21(1) of MMDR Act in Crime No.173 of 2026 on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that the petitioner without any valid permission transported 3 units of gravel sand illegally. Hence the complaint.



3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate with the investigation. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the prosecution case and objected for the grant of anticipatory bail. He added that there is no previous case pending against the petitioner.

5. Considering the submissions on either side, this petition may be considered positively with a stringent condition. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory 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 made ready, before **the learned Judicial Magistrate No.1, Villupuram**, on condition that **the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)**, with



two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

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(a) If the petitioner fails to surrender before the concerned 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 petitioner shall deposit a sum of Rs.3,000/-(Rupees Three Thousand only) (Non refundable) to the CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA), Dr.S.Krishnamurthi Campus, Sardar Patel Road, Chennai-36, bearing SB Account No.149710011005477, IFS Code No.ANDB0001497, Branch Name and Code 1497, MICR No.600011049 and to produce the Bank Challan before the Judicial Magistrate No.I, Villupuram, and the receipt shall be produced at the time of executing the bond;**

(c) 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;

(d) **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;**



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(e) 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]***;

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

07-05-2026

nvi / kas

To.

1.Judicial Magistrate No.I, Villupuram

2. Inspector of Police
Taluk Police Station Villupuram,
Villupuram District

3.The Public Prosecutor
High Court of Madras
Chennai 600 104

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