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CRL OP No. 11696 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. 11696 of 2026

Santhosh

..Petitioner(s)

Vs

State rep by, The Inspector of Police
Gudiyatham Taluk Police Station,
Gudiyatham, Vellore District.
(Crime No. 71 of 2026)

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS Act, 2023, seeking to enlarge the petitioner on bail in the event of his arrest in crime No.71 of 2026 on the file of the Inspector of police, Gudiyatham Taluk Police Station, Gudiyatham, Vellore District.

For Petitioner(s):

Mr.G.Vinodh Kumar

For Respondent(s):

Mr.A.Gopinath
Govt. Advocate (Crl. Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 303(2) and 326 of BNS, 2023 (379 and 430 IPC), in Crime No.71 of 2026 on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that during the routine inspection, the petitioner was found to be illegally transporting 1 ½ unit of river sand in a



Tractor with Trailer bearing Reg.No.TN-73-T-9185 Mahendra 575 D1 without having any valid permit from the competent authority. Hence the complaint.

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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.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and objected for the grant of anticipatory bail.

5. Considering the facts and circumstances of the case, 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, Gudiyatham**, 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:

(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.2,000/- (Rupees Two 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, Gudiyatham, 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

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To.

- 1.The Judicial Magistrate, Gudiyatham
- 2.The Inspector of Police,Gudiyatham Taluk Police Station,
Gudiyatham, Vellore District.
- 3.The Public Prosecutor, High Court of Madras, Chennai 600 104

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