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CrI.O.P.No.12062 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.05.2026

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

CrI.O.P.No.12062 of 2026

Bharathi @ Vijayabharathi

... Petitioner

Vs.

State, represented by
Inspector of Police,
Kalambur Police Station,
Thiruvannamalai District.
(Crime No.60 of 2026)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, pleaded to enlarge the petitioner on bail in the event of his arrest in connection with Crime Number 60 of 2026 on the file of the respondent Police.

For Petitioner : Mr.B.Gopalakrishnan

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



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ORDER

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The petitioner / accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303 (2) & 326(A) of the BNS, 2023 and Section 21 (1) of Mines and Minerals (Development & Regulation) Act, 1957 in connection with the Cr. No.60 of 2026 seek anticipatory bail.

2. The case of the prosecution is that, based on secret information about illegal transportation of sand, the respondent police conducted a surprise inspection within their jurisdiction. At that time, the petitioner was allegedly transporting quarter unit of sand in a bullock cart. On noticing the police, the petitioner abandoned the vehicle and fled from the spot. Hence the complaint.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, and he has been falsely implicated by the respondent police and he is in no way connected with the offences as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) would submit that the petitioner was found in illegal possession of sand in a bullock cart. He would further submit that the petitioner has three previous cases against him similar in nature. Hence, he vehemently opposed to grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the nature of offences and that the quantity of material involved in this case and taking into consideration the fact that though the petitioner has some previous cases, he was granted bail in that case, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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 made ready, before the learned **Judicial Magistrate, Arani** 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



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further condition that:

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[a] the petitioner shall report before the respondent police, **on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.**

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[c] the petitioner shall not leave India without the previous permission of the Court;

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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



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[(2005)AIR SCW 5560].

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[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

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rkp/lpp

Note:-

1. Registry is directed to forthwith upload this order in the official website of this Court.
2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.



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P.DHANABAL, J.

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To

1. The Judicial Magistrate,
Arani.
2. The Inspector of Police,
Kalambur Police Station,
Thiruvannamalai District.
3. The Public Prosecutor,
High Court, Madras.

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