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Crl.O.P.No.13140 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.05.2026

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P.No.13140 of 2026

Sundhar,
S/o. Sakkarapani

... Petitioner

Vs.

State rep. by,
The Inspector of Police,
Gudiyatham Taluk Police Station,
Vellore District.
Crime No.58 of 2026

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on anticipatory bail in the event of his arrest, pending investigation in Crime No.58 of 2026 on the file of the respondent police.

For Petitioner : Mr.Deepak Kumar.C

For Respondent : Mr.S.Balaji
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 303(2) and 326



of BNS, 2023 in Crime No.58 of 2026 on the file of the respondent police, seeks anticipatory bail.

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2. It is the case of the prosecution that the petitioner, along with other accused, illegally transported 3 units of red sand using a tipper lorry without any valid permit or licence. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent and has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case. He further submitted that the co-accused has been granted anticipatory bail by this Court. He also submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (CrI. Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner has two previous cases pending against him. He further submitted that this is the second anticipatory bail application filed by the petitioner and the earlier bail petition filed by the petitioner was dismissed by this Court, vide order dated 20.04.2026 made in



CrI.O.P.No.9842 of 2026. He also submitted that if the petitioner is enlarged on anticipatory bail, he may abscond and commit similar offences in the future. Hence, he vehemently opposed the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either side, nature of offences, and the quantity of sand involved in this case and also considering the fact that though there are two previous cases pending against the petitioner, as the petitioner has been granted bail in both the cases, and considering the fact that the co-accused has already been granted anticipatory bail by this Court, I am inclined to grant anticipatory bail to the petitioner on 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 days from the date of receipt of a copy of this order, before the **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



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sureties each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

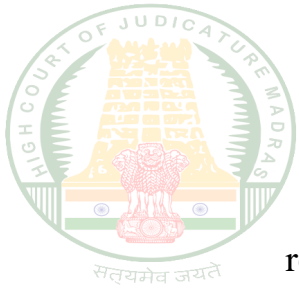
[b] the petitioner shall report before the respondent police every Saturday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

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

[e] the petitioner shall not leave India without the prior permission of the Court.

[f] 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 [(2005)AIR SCW 5560]***;



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

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To

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



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P.DHANABAL, J.

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