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CRL OP No. 12950 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12950 of 2026

Sathiyamoorthy

..Petitioner(s)

Vs

State rep.by
The Inspector of Police,
Omerabad Police Station,
Thirupathur District.
Crime No. 346 of 2025

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, 2023, praying to enlarge the Petitioner on bail in the event of his arrest by the Respondent Police in Crime No. 346 of 2025 on the file of the Respondent police and thus render justice.

For Petitioner(s): Mr.D.Bennington

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

ORDER

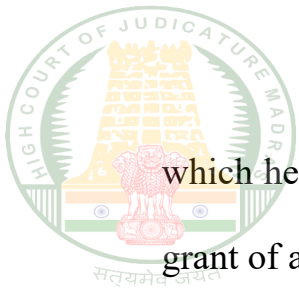
The petitioner who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 303(2) and 326(a) of the Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No. 346 of 2025, seeks anticipatory bail.



2.The case of the prosecution is that on 23.09.2025, the petitioner illegally quarried and transported 1/4 unit of river sand using a bullock cart. Hence the case.

3.Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case. He further submitted that this is the second anticipatory bail application before this Court, the first application having been dismissed on 08.01.2026 on an erroneous premise that a huge quantity of river sand was involved, whereas the prosecution case itself specifies a minimal quantity of only 1/4 unit in a bullock cart. He stated that no similar petition is pending in any other court. He further submitted that though the petitioner has one previous case pending against him, it is of a different nature and bail has already been granted to him in that case. He added that the petitioner is a permanent resident, will not evade justice, and is ready to abide by any conditions imposed by this Court. Hence, he prayed anticipatory bail for the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and confirmed that the quantity involved is 1/4 unit of sand transported via a bullock cart. He further confirmed that the petitioner has one previous case pending against him, in



which he has already been enlarged on bail. Hence, he vehemently opposed the grant of anticipatory bail to the Petitioner.

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

6. Considering the rival submissions made by the learned counsel on either side, the nature of the offences, the clarification regarding the minimal quantity of sand (1/4 unit) transported in a bullock cart, and the fact that the petitioner has already been granted bail in his sole pending previous case, I am 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 days from the date on which the order copy made ready, before the learned Judicial Magistrate, Ambur 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 condition that:

[a] the petitioner shall report before the respondent police on every Saturday at 10.00 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 her from disclosing such facts to the Court or to any police officer;

[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 [(2005)AIR SCW 5560];

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

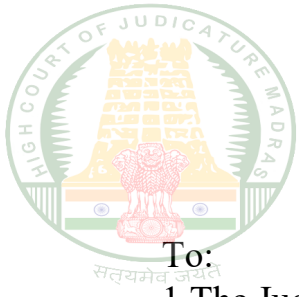
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Note:

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 the official website of this Court will be watermarked and will also have a QR code.



To:

1. The Judicial Magistrate, Ambur.

2. The The Inspector of Police,
Omerabad Police Station,
Thirupathur District.

3. The Public Prosecutor,
Madras High Court,
Chennai.

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P.DHANABAL, J.

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