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Crl.O.P.No.13079 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.13079 of 2026

1. Venkatesan,
S/o.Krishnan

2. Rajesh,
S/o.Anandhan

... Petitioners

Vs.

State rep. by,
The Inspector of Police,
Gudiyatham Taluk Police Station,
Vellore District.
Crime No.28 of 2026

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioners on anticipatory bail
in the event of their arrest, pending investigation in Crime No.28 of 2026
on the file of the respondent police.

For Petitioners : Mr.S.Silambu Selvan

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

ORDER

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



of BNS, 2023 in Crime No.28 of 2026 on the file of the respondent police, seek anticipatory bail.

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2. It is the case of the prosecution that the petitioners, along with other accused persons, have illegally transported ¼ unit of river sand without any valid permit or licence. Hence, the case.

3. Learned counsel for the petitioners submitted that the petitioners are innocent and have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He also submitted that the petitioners are 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 petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and submitted that the 1st petitioner has five previous cases and the 2nd petitioner has four previous cases, pending against them. He further submitted that this is the second anticipatory bail application filed by the petitioners and if the petitioners are enlarged on anticipatory bail, they may abscond and commit similar offences in the future. Hence, he vehemently opposed the grant of anticipatory bail to the petitioners.

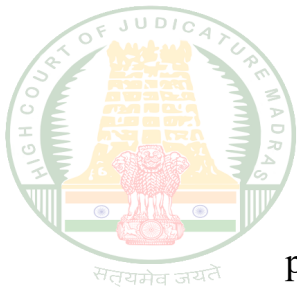


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5. Heard the learned counsel on either side and perused the materials available on record.

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 previous cases pending against the petitioners and the petitioners have been granted bail in all the cases, I am inclined to grant anticipatory bail to the petitioners on certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their 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 each of the petitioners 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 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:



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[a] the petitioners 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

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

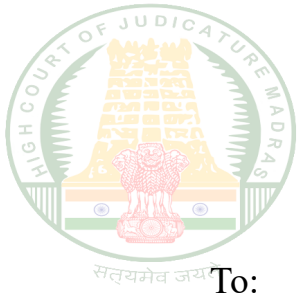
[e] the petitioners shall not leave India without the prior permission of the Court.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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:
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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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