



Crl.O.P.No.13411 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2026

CORAM

THE HON'BLE MR. JUSTICE R.SAKTHIVEL

Crl.O.P.No.13411 of 2026

Agash @ Akash
S/o.Paramasivam

...Petitioner/Accused-2

Vs.

The State rep. By its
The Inspector of Police,
Tiruvonnainallur Police Station,
Villupuram District.
(Crime No.244 of 2026)

...Respondent/ Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the Petitioner on pre-arrest bail in the event of his arrest in Crime No.244 of 2026 on the file of the Respondent Police.

For Petitioner : Mr.R.Raji

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



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ORDER

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This Criminal Original Petition has been filed by the Petitioner on 19.05.2026 for the alleged offence under Sections 303(2) and 326 (a) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.244 of 2026, praying to grant an order of pre-arrest bail.

2.The case of prosecution is that on 07.05.2026 as per secret information, when the Respondent Police went to patrol at that time, the Respondent Police intervened the Vehicle bearing Registration No.TN 11 F 0529, the accused transported ½ units of sand without valid permit from the Government. Hence, the complaint.

3.The learned Counsel appearing for Petitioner submitted that the Petitioner has not at all committed any of offence as alleged by the Respondent Police and he has been falsely implicated in this case and he will abide by any condition that may be imposed by this court. Hence, he prayed to grant an order of pre-arrest bail to the Petitioner.

4.The learned Government Advocate (Crl. Side) appearing for Respondent Police submitted that there was no previous case against the



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Petitioner/Accused-2. Further, the Respondent-Police seized the vehicle bearing Registration No.TN 11 F 0529. He further submitted that the accused were transported ½ units of sand without valid permit from the Government. Hence, he opposed to grant pre-arrest bail to the Petitioner.

5.Considering the facts and circumstances and the fact the Petitioner has no previous case and with a view to give one more opportunity to the Petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the Petitioner subject to the following conditions:

(i) The Petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned District Munsif cum Judicial Magistrate, Tiruvennainallur within a period of 15 days from today, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned District Munsif cum Judicial Magistrate, Tiruvennainallur;

(ii) The Petitioner shall appear and sign before the Respondent-Police, everyday at 10.00 a.m., until further orders;

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(iii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned District Munsif cum Judicial Magistrate, Tiruvonnainallur shall obtain a copy of any one of their identity proofs to ensure their identity;

(iv) The Petitioner shall furnish his residence address and mobile number to the learned District Munsif cum Judicial Magistrate, Tiruvonnainallur.

(v) The Petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(vi) On breach of any of the aforementioned conditions, the learned District Munsif cum Judicial Magistrate, Tiruvonnainallur is entitled to pass appropriate orders against the Petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].



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6. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

22.05.2026

Index : Yes/No
Internet : Yes/No
Neutral citation : Yes/No
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Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
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R.SAKTHIVEL. J.

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To

- 1.The District Munsif cum Judicial Magistrate,
Tiruvonnainallur.
- 2.The Inspector of Police,
Tiruvonnainallur Police Station,
Villupuram District.
- 3.The Public Prosecutor,
High Court of Madras.

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