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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30877 of 2026

CNR: {HCMA012565192026}

Rishibharath
S/o.Mahaveeran,
No.295/138, Rajivgandhi Nagar,
Agravaram,
Gudiyatham Taluk,
Vellore District.

..Petitioner(s)

Vs

State by, Inspector of Police
Gudiyatham Taluk Police Station,
Vellore District.
Cr.No.238 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS praying to enlarge the petitioner on bail in Cr.No.238/2026 on the file of the Respondent Police.

For Petitioner(s): Mr. D.Thirumoorthy

For Respondent(s): Mr. M.M.I.Khaleel
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30**.09.2026** for the alleged offences punishable under **Sections 303(2) and 326 of BNS Act** in Crime No. 238 of 2026 on the file of the respondent police, seeks regular bail.

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2. The case of the prosecution is that the petitioner was found in illegal transportation of 100 kgs of river sand . Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further undertakes that the petitioner will strictly abide by any stringent conditions imposed by this Court and will co-operate with the investigation.

4. The learned Government Advocate (Criminal Side) appearing for the respondent state strongly opposes the grant of bail and also submitted that the petitioner has three similar previous cases.

5. Considering the facts and circumstances of the case, the quantity of the contraband involved in this case and the period of incarceration undergone by the petitioner, this Court is inclined to grant regular bail to the petitioner, subject to strict conditions to ensure his presence during investigation and trial.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties,** each for a like sum to the satisfaction of the **learned Judicial Magistrate, Gudiyatham** and on further conditions that:

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[a] the sureties shall affix his photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure his identity;

(b) the petitioner shall report before the respondent police daily at 10:30 A.M. for a period of two weeks and thereafter as and when required for interrogation;

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

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

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];**

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

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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. Judicial Magistrate, Gudiyatham

2. The Superintendent,
Central Jail, Vellore.

3. Inspector of Police
Gudiyatham Taluk Police Station,
Vellore District.

4. The Public Prosecutor,
High Court of Madras.

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N.RAMESH, J.

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