WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31002 of 2026

CNR: {HCMA012566012026}

Radhakrishnan

..Petitioner

Vs

The State Rep by,
The Inspector of Police,
Vaniyambadi Taluk Police Station,
Tirupattur District.
(Crime no.403 of 2026)

..Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory Bail in the event of arrest concern in Crime no.403 of 2026 on the file of the Inspector of Police, Vaniyambadi Taluk Police Station, Tirupattur District on such terms and conditions as this Honourable Court may deem fit and proper.

For Petitioner(s): Mr.R Parthiban
For Respondent(s): Mr.R.Rajasekaran
Counsel for Government of Tamil Nadu (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 303(2) and 326(a) of BNS, 2023, in Crime No.403 of 2026 on the file of the respondent police seeks anticipatory bail.

https://www.mhc.tn.gov.in/judis

WEB COPY

2. The case of the prosecution is that the petitioner was found in illegal possession of 50 Kgs of river sand in TVS Super XL vehicle worth Rs.2,000/- without any valid licence and that the said vehicle was seized by the respondent police. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent; that he is the owner of the vehicle and that he has been falsely implicated in this case. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has no previous case against him. Hence, he opposed to grant anticipatory bail to the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

6. Considering the facts and circumstances of the case, the nature of the allegations, the submissions made by the learned counsel on either side, the fact that the material in question has been seized and since custodial

https://www.mhc.tn.gov.in/judis

WEB COPY

interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to 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 (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate Court No.II, Tirupattur District,** on condition that **the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only),** with **two sureties,** for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their 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 identify proofs to ensure their identity;

(c) **The petitioner shall report before the respondent police daily at 10.30 a.m until further orders;**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on

https://www.mhc.tn.gov.in/judis

Order QR

WEB COPY

anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];***

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

23-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VCA

https://www.mhc.tn.gov.in/judis

WEB COPY

To,

1. The Inspector of Police,
   Vaniyambadi Taluk Police Station,
   Tirupattur District.
   (Crime no.403 of 2026)

2. The Judicial Magistrate Court No.II,
   Tirupattur District,

3. The Public Prosecutor,
   High Court of Madras.

https://www.mhc.tn.gov.in/judis

WEB COPY

N.RAMESH, J.

VCA

CRL OP No. 31002 of 2026

23-10-2026

https://www.mhc.tn.gov.in/judis