



WEB COPY

CRL OP No. 34858 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

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THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 34858 of 2025

1. P.Sendhil Kumar
2. S.Jothi Lakshmi

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police
Vengal Police Station,
Thiruvallur District
(Cr.No. 334 of 2025)

..Respondent(s)

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, pleaded to enlarge the petitioners/Accused on bail in the event of arrest by the respondent police in Cr.No. 334 of 2025 .

For Petitioner(s):	Mr.M.Aswin
For Respondent(s):	M/s.J.R.Archana Government Advocate (Criminal Side)

ORDER

The petitioners herein apprehends arrest at the hands of the respondent police for the offence punishable under Section 318 (4) of BNS, 2023 and 21 (1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.334 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners joining hands with other accused involved in transportation of 70 tons of boulders illegally. Hence, the case has been registered.



3. The learned counsel appearing for the petitioners submitted that the petitioners were having valid transit pass to transport the boulders and at the time of inspection they were not able to produce the transit pass. The copy of the same has been furnished before this Court. Hence, prayed for grant of anticipatory bail to the petitioners.

4. Earlier this Court had directed the learned Government Advocate (Criminal Side) to verify the copy of the permit produced before this Court and it is reported that they have verified the permit and the vehicle is having a valid transit permit. However, it is further submitted that at the time of transporting the boulders it must be carried out and since it was not produced, the present case has been registered.

5. Considered the submissions made by the learned Government Advocate (Criminal side) and the fact that it is a case of non-possession of transit pass and it is not a case of illegal possession, and since custodial interrogation of the petitioner is not necessary for investigating the case of this nature, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:



6. 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 learned **Judicial Magistrate – I, Thiruvallur**, on condition that each of the petitioners shall execute a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** each **with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition that:

[a] if the petitioners fails to surrender before the concerned Magistrate within a period of fifteen 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 the identity proofs to ensure their identity;

[c] the petitioners shall report before the respondent police daily at 10.30.a.m., for a period of one week and thereafter as and when required for interrogation;

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



K.RAJASEKAR, J.

[e] If the accused thereafter absconds, a fresh FIR can be

registered under Section 269 of B.N.S.

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To

1.The Judicial Magistrate – I, Tiruvallur.

2.The Inspector of Police
Vengal Police Station,
Thiruvallur District

3.The Public Prosecutor
High Court of Madras.

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