



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16882 of 2026

1. Elavarasi
No.1/210, Iyanar Koil Street,
PeriyababuSamudram, Villupuram District
2. Chandrakala
W/o Dhananjeyan,
No.614, Eri Street,
Arasadikuppam Post,
Pavaikulam, Cuddalore District
3. Savitha
W/o Viswalingam,
No.48, North Street,
Thondamanatham,
Pondicherry
4. Iyyappan
S/o Erusappa,
No.1/120, Iyyanar Koil Street,
Periyababusamuthiram,
Villupuram District
5. Iyyanar
S/o Mani,
No.1/40, Katterikuppam Road,
Valudhavur,
Villupuram District
6. Viswalingam
S/o Mani,
No.48, North Street,
Thondamanatham,
Pondicherry
7. Sabari Raja
S/o Selvam,
No.130, Lakshmi Narayanan Street,



Chinnanerkunam,
Villupuram District

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..Petitioners
1-7/Accused No.Not
known

Vs

The State Rep By, The Inspector of Police
Panruti Police Station,
Cuddalore.
Crime No.223 of 2026

..Respondent/
Complainant

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail, in the
event of their arrest in the above in Crime No.223 of 2026 pending
investigation, on the file of the respondent police.

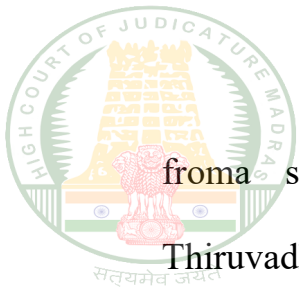
For Petitioner(s): Mr. Perinbanathan T

For Respondent(s): MR.N.PALANIVEL, GOVT.ADVOCATE
(CRL.SIDE)

ORDER

The petitioners, who apprehend arrest for the alleged offences under
sections 326 (a), 303(2) of BNS, 2023 and **Section 21(1) of Mines & Minerals
(Development & Regulation) Act, 1957** in **Crime No. 223 of 2026**, on the file
of the respondent police seek anticipatory bail.

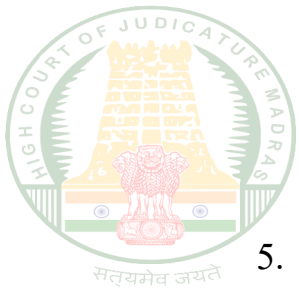
2. The case of the prosecution is that upon secret information received



from a source, on 21.05.2026, the Village Administrative Officer of Thiruvadhigai Village, inspected the vehicles being lorry at about 9 am and found that the petitioners had indulged in transporting sand in 8 lorries, without any valid permit or licence. Hence, the case.

3. The learned counsel for the petitioners submits that the petitioners are innocent persons and they have been falsely implicated in this case. The learned counsel for the petitioners submitted that the sand in question was excavated from the petitioners agricultural patta land and that the petitioners possessed the necessary permission for such excavation and transportation. He further submits that they are ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submits that no previous cases have been registered against the petitioners. She further submits that according to the prosecution, the petitioners were found illegally transporting river sand in eight lorries. It is alleged that seven lorries were each carrying three units of river sand and one lorry was carrying five units, thereby involving a substantial quantity of illegally transported sand. Accordingly, she opposes to grant anticipatory bail to the petitioners.



5. This Court has considered the submissions made on either side.

Though the learned counsel for the petitioner contended that the petitioner had a valid permit and that the sand was transported from patta land, the prosecution alleges illegal transportation of river sand in eight lorries. From the submission made by the learned Government Advocate (Crl.Side) the petitioner does not have any previous cases. Though, this Court views the offence of theft of natural resources and its exploitation as serious offence, taking into consideration of the fact that he has no previous case, and upon the fond hope that they would mend themselves in future and would not come under the adverse notice of the respondent, this Court is inclined to enlarge them on anticipatory bail, subject to 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 on which the order copy is made ready, before the **learned Judicial Magistrate No-1, Panruti** on condition that the **petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** each with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fail to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the



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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 petitioners are directed to produce a demand draft for a sum of Rs.95,000/-[660000/7] (Rupees Ninety five Thousand only) **each** in favour of the '*The Chairman/District Collector, The District Mineral Foundation Trust of Cuddalore District*', (Non refundable) before the learned Judicial Magistrate No-I, Panruti

(d) On production of the above Demand Draft, the learned Magistrate is directed to take necessary steps to hand over the same to the District Collector. Upon receipt of the said amount, the District Collector shall realise and utilise the same strictly in accordance with law and in terms of G.O.Ms.No.84, Natural Resources (MMD.1) Department, dated 16.12.2025;

(e) The petitioners shall report before the respondent police daily at 10.30 am for a period of four weeks;

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



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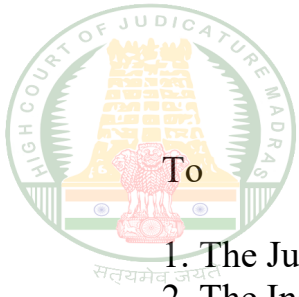


anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

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

JRS

02-07-2026



To

1. The Judicial Magistrate No.1, Panruti.

2. The Inspector of Police

Panruti Police Station,

Cuddalore.

Crime No.223 of 2026

3.The Public Prosecutor, Madras High Court.



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C.KUMARAPPAN, J.

JRS

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