



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 17871 of 2026

Subramanian
S/o.Venkatachalam,
D.No. 109 B, Mela Street,
Palakurichi Village,
Keelvelur Taluk,
Nagapattinam District.

..Petitioner(s)

Vs

The State represented by its Inspector of Police
Velankanni Police Station,
Velankanni,
Nagapattinam District.
Crime no.199 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/Accused on bail in the
event of his arrest in Crime no.199 of 2026 on the file of Respondent Police.

For Petitioner(s):

M/S. K JAYASURIYA

For Respondent(s):

MR.N.PALANIVEL, GOVT.ADVOCATE
(CRL.SIDE)

ORDER

The petitioner, who apprehends arrest for the alleged offence under
Section 303(2) of BNS, 2023 r/w 21(1) of Mines and Minerals Development
and Regulation Act 1957, in Crime No.199 of 2026, on the file of the



respondent police seeks anticipatory bail.

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2. The allegation against the petitioner is that the petitioner along with others were involved in illegal transportation of mud from a temple land without any valid permit or licence and that the petitioner and along with others were caught red handed by the respondent police. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner was innocent and that he has been falsely implicated in this case. He further submitted that he is 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 petitioner.

4. The learned Government Advocate (Crl. Side) would submit that three units of clay sand were illegally transported using three tractors and one JCB vehicle.

5. At this juncture, the learned counsel for the petitioner would submit that, though the allegation against the petitioner is that he had illegally transported clay mud, when the bail application was moved on behalf of the other accused before the learned District and Sessions Judge, the Executive Officer of Varadharaja Perumal Temple, who is the administrator of the subject



property, appeared before the Court and submitted that no damage was caused to the temple land. Considering the said submission, the learned District and Sessions Judge had granted bail to the said accused.

6. Though the learned Government Advocate (Crl. Side) objected to the present application and contended that there was illegal transportation of clay mud, this Court, on perusal of the order passed by the learned District and Sessions Judge, finds that there is a specific reference to the submission made by the Executive Officer of the Temple, who is the administrator of the property, stating that no loss or damage was caused to the temple land.

7. Considering the above circumstances, this Court is of the considered view that custodial interrogation of the petitioner is not required at this stage. Hence, this Court is inclined to enlarge him on anticipatory bail, subject to certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned District Munsiff Cum Magistrate Court, Keelvelur, Nagapattinam 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 each 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;

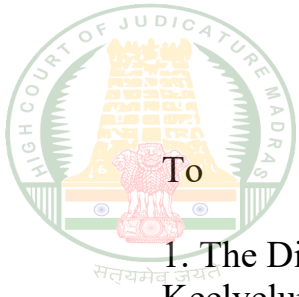
(c) The petitioner shall report before the respondent police as and when required for interrogation;

(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 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.

JRS

10-07-2026



To

1. The District Munsiff Cum Magistrate Court,
Keelvelur, Nagapattinam district.

2. The Inspector of Police
Velankanni Police Station,
Velankanni,
Nagapattinam District.
Crime no.199 of 2026.

3. The Public Prosecutor,
High Court of Madars.

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C.KUMARAPPAN, J.

JRS

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