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CRL OP No. 23116 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-08-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 23116 of 2026

Saran

..Petitioner

Vs

The State Rep by
The Inspector of Police
Kandamangalam Police Station,
Villupuram District.
Crime No.204 of 2026.

..Respondent

PRAYER:

This Criminal Original Petition is filed under Section 482 of BNSS, 2023, praying to enlarge the petitioner on bail in the event of arrest in connection with the **Crime No.204 of 2026** on the file of respondent police and pass such further or other order as this Honble Court may deem fit and proper in the circumstances of the case and thus render Justice.

For Petitioner(s): Mr.Abdul Kareem

For Respondent(s): Mr.Rajasekaran
Government Advocate (Crl.Side)



ORDER

The petitioner apprehends arrest for the alleged offences under Sections **326(a) & 303(2) of BNS 2023 in Crime No.204 of 2026** on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found to be in illegal possession of 1 ½ unit of river sand in a Tipper Lorry without any valid permit or licence.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and a false case has been foisted against the petitioner and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. The learned counsel for the petitioner voluntarily submitted that he undertakes to pay a sum of Rs.70,000/- as non-refundable deposit to any of the welfare scheme without prejudice to his defence

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and he fairly submitted that the petitioner has no criminal antecedents. However, he opposed to grant anticipatory bail to the petitioner.



5. I have given my anxious consideration to either side submissions.

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6. From the submission made by the learned Government Advocate (Crl.Side) and the learned counsel for the petitioner, though, this Court views the offence of theft of natural resources and its exploitation as serious offence, and upon the fond hope that they would mend themselves in future and would not come under the adverse notice of the respondent and also considering the fact that the petitioner has no criminal antecedents, this Court is inclined to enlarge the petitioner on anticipatory bail, 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, Villupuram** on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty 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 slip (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/accused are directed to produce a demand draft for a sum of Rs.70,000/- (Rupees Seventy Thousand only), in favour of the 'The Chairman/District Collector, The District Mineral Foundation Trust of Villupuram District', (Non refundable) before the learned Judicial Magistrate, Villupuram;

(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 petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter as and when required;

(f) 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 is 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];

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

19-08-2026

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

MFA

To

1. The Judicial Magistrate,
Villupuram
2. The Inspector of Police
Kandamangalam Police Station,
Villupuram District.
3. The Public Prosecutor
High Court, Chennai.



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N.RAMESH, J.

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