



Crl.O.P.No.25141 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.25141 of 2025

Balakrishnan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.
(Crime No.358 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 438 of Cr.P.C / Section 482 of BNSS Act, pleaded to enlarge the petitioner on anticipatory bail in the event of his arrest by the Respondent Police in Crime No.358 of 2025 on the file of the Respondent Police.

For Petitioner : Mr.Pradeep

For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS Act, r/w Sections 21(1) and 21(4) of Mines & Minerals Act (Development & Regulation) Act, 1957, in Crime No.358 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner had illegally committed theft of Gravel sand using a Tipper bearing Reg.No.TN 29 CS 5752, a JCB bearing Reg.No.TN 29 CU 4798 and a Tractor bearing Reg.No.TN 29 CY 6156 without any valid permit. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case.

4. The learned Government Advocate (Crl.Side), per contra, submitted that the vehicle and the minerals have been seized and proceedings have been initiated. Hence, he opposed the grant of anticipatory bail.

5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering the said fact, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.10,000/-**



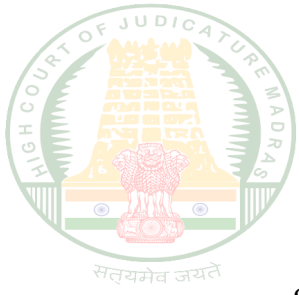
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[Rupees Ten Thousand Only] to the credit of Crime No.358 of 2025 before the trial Court, on such deposit and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned **District Munsif cum Judicial Magistrate, Karimangalam** 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] 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;

[b] the petitioner shall report before the respondent police as and when required;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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**



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SCC 283];

[d] 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 District Munsif cum Judicial Magistrate, Karimangalam
- 2.The Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.
3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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