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Crl.O.P.No.26270 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.26270 of 2025

1.Ashok Kumar @ Ashok
2.Nagappan.A

... Petitioners

Vs.

State represented by
The Inspector of Police,
Roshanai Police Station,
Villupuram District.
(Cr.No.238 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of arrest in Cr.No.238 of 2025 on the file of the respondent police.

For Petitioners : Mr.Iyyapparaj
For Respondent : Mr.S.Udayakumar
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offence **under Section 303(2) of BNS Act, 2023 r/w 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.238 of 2025**, on the file of the respondent police, seek anticipatory bail.

2. The allegation against the petitioners is that they have illegally taken



gravel sand to the extent of 4 units by using JCB and they got threatened the officials. Hence, the case has been registered.

3. The learned counsel for the petitioners submitted that they are being farmers and attempted to take the gravel sand only for the purpose of irrigating the land. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that investigation in this case is still pending. Hence, he oppose to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case, taking note of the submission made by the learned Government Advocate (Crl.Side) and also I am not able to accept the submission mad by the learned counsel for the petitioner since having taken huge quantity of sand by using JCB and they have caused damage to the earth and ecology, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.



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To

1.The Judicial Magistrate-I,
Tindivanam.

2.The Inspector of Police,
Roshanai Police Station,
Villupuram District.

3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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