



WEB COPY



Crl.OP.No.30397 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.30397 of 2025

Kalai @ Kalaiyarasan

... Petitioners

Vs.

The State rep by
The Inspector of Police,
Ambalur Police Station,
Tirupathur District.
(Crime No.173 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail, in the event of
his arrest, in Crime No.173 of 2025 on the file of the respondent police.

For Petitioner : Mr.C.D.Sugumar

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest for the alleged offence under
Sections 303(2) and 326(a) of BNS, 2023 r/w 21(1) of Mines and Minerals in



Cr.No.173 of 2025 on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that he joined hands with other persons in quarrying sand from the Palar River by using a tipper lorry and an earth mover (JCB). While they were in possession of two units of river sand, the police intervened and recovered the property.

3. The learned counsel appearing for the petitioner submitted that the petitioner is only a driver and was not aware that the sand was illegally quarried. Hence, he prays for granting anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that the property has been recovered. He further contended that if the petitioner is granted anticipatory bail, he may commit a similar offence. Hence, he vehemently opposed the grant of anticipatory bail.



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5. Considering the fact that this is a case of illegal sand quarrying using a JCB and a tipper lorry, and that a huge quantity is involved, If the petitioner is granted relief, he would indulge in similar activities, I am not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

07.11.2025

Vv

To

1. The Judicial Magistrate,
Vaniyampadi, Thirupathur District.
2. The Inspector of Police,
Ambalur Police Station,
Tirupathur District.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.

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K.RAJASEKAR, J.

Vv



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