



CrI.O.P.No.6094 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2026

CORAM

THE HON'BLE DR. JUSTICE C.KUMARAPPAN

CrI.O.P.No.6094 of 2026

Karthi

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Komarapalayam Police Station,
Namakkal District.
(Crime No.303 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in connection with Crime No.303 of 2025 on the file of respondent Police.

For Petitioner : Mr.A.Saravanan

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (CrI.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2) of BNS, 2023, in

Crime No.303 of 2025, on the file of the respondent Police, seeks
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anticipatory bail.

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2. The case of the prosecution is that the petitioner herein, along with other accused, was involved in the illegal theft and transportation of gravel soil in a vehicle bearing Registration No. TN-28-BJ-5706, and on seeing the respondent police, the petitioner fled away from the spot, leaving the vehicle behind. Hence, the case has been registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought anticipatory bail for the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that no previous case is pending against the petitioner. He further submitted that a notice under Section 35(3) of the BNSS was issued on 11.08.2025, directing the petitioner to appear before the Kumarapalayam Police Station.



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5. From the submissions made by the learned Government Advocate (Crl. Side), it is seen that the petitioner does not have any previous cases.

This Court views the offence of theft of natural resources and its exploitation as a serious offence. However, taking into consideration the fact that the petitioner has no previous cases, and upon the fond hope that he would mend himself in future and would not come under the adverse notice of the respondent, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. 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 Kumaraplayam**, 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;



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(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 Judicial Magistrate Kumarapalayam, daily at 10.30 a.m., for a period of three weeks, and thereafter, as and when required for interrogation by the respondent police;

(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.

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To

1.The Judicial Magistrate Kumarapalayam.

2.The Inspector of Police,
Kumarapalayam Police Station,
Namakkal District.

3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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