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CrI.OP.No. 1462 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 1462 of 2026

Vinay Kumar

...Petitioner

Versus

The State rep. by

The Sub Inspector Of Police

Uthukottai Police Station

Tiruvallur District

Crime No. 185 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest pending investigation in Cr.No. 185 of 2025 on the file of the respondent police.

For Petitioner : Mr.A.Tamilsevan

For Respondent : Ms.J.R. Archana

Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303 and 326 of BNS, 2023 in Crime No. 185 of 2025, on the file of the respondent Police, seeks anticipatory bail.



2.The allegation against the petitioner is that on 26.09.2025, the petitioner illegally quarried two units of “savudu sand” from a patta land and the same was transported using Tractor without any valid license from the Government of Tamil Nadu. Hence, the case has been registered by the respondent police.

3. The learned counsel for the petitioner submitted that the petitioner quarried the sand from his patta land and he has not committed any offences as alleged by the prosecution and he is ready to co-operate with the investigation, and therefore, custodial interrogation of the petitioner is not necessary. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submitted that the petitioner had illegally quarried two units of savudu sand and transported illegally without any valid permission from the government. Hence, opposed granting anticipatory bail to the petitioner.



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

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6. Considering the fact that the petitioner quarried the savudu sand from his patta land, I am of the view that the custodial interrogation of the petitioner is not necessary to investigate the case of this nature, this Court is inclined to grant anticipatory bail to the petitioner with 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 days from the date on which the order copy made ready, before the learned **District Munsif Cum Judicial Magistrate, Uthukottai**, 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 condition that:

(a) If the petitioners fail to surrender before the concerned Magistrate, within a period of fifteen 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 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;

[c]the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation;

[d] 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 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

23.01.2026

MSM

To

1.The District Munsif Cum Judicial Magistrate, Uthukottai.

2.The Sub Inspector Of Police
Uthukottai Police Station
Tiruvallur District
Crime No. 185 of 2025.

3. The Public Prosecutor, High Court of Madras.

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K.RAJASEKAR, J.

MSM

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