



WEB COPY

CRL OP No. 2570 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2570 of 2026

Cinnarasu

S/o. Balu,

No.383, Mariyamman Koil Street,

Virupakashi, Kurinjipadi

Cuddalore District.

..Petitioner(s)

Vs

The State Rep.by, The Inspector of Police,

Puthuchatram Police Station,

Cuddalore District.

(Crime No.417 of 2025)

..Respondent(s)

PRAYER: To enlarge the Petitioners on bail in the event of his arrest by the respondent police concerned in Crime No.417 of 2025 on the file of the Inspector of Police, Puthuchatram Police Station, Cuddalore District.

For Petitioner(s):

For Respondent(s):

R.Parthiban

M/S.J.R.Archana

Government Advocate (Crl.Side)



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ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 326(a), 303(2) of BNS r/w. 21(1) of Mines and Minerals (Development and Regulation) Act in Crime No.417 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner illegally quarried 3.5 units of savudu sand from the quarry, and it is a case of transportation of sand without a transit pass. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has not committed the offences alleged by the de facto complainant. He also submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court, and therefore, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submitted that 3.5 units of savudu sand have been illegally extracted from the quarry and there is no previous case pending against the petitioner herein. Hence, she opposed the grant of anticipatory bail to the petitioner.



5. Considering the fact that the sand has been transported without a transit pass and it is not a case of illegal quarrying, and the property has been recovered, this Court is inclined to grant anticipatory bail to the petitioner with 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 made ready, before the **learned District Munsif Cum Judicial Magistrate, Portonovo**, on condition that **the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(a) If the petitioners fails to surrender before the concerned 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;

(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 respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;**

(d) On breach of any of the aforesaid conditions, the



learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on 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 accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

05-02-2026

MPA

To

- 1.The District Munsif Cum Judicial Magistrate, Portonovo.
- 2.The State Rep.by, The Inspector of Police,

Puthuchatram Police Station,

Cuddalore District.

(Crime No.417 of 2025)

- 3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

MPA

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