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CRL OP No.2371 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

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THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2371 of 2026

S. Vijaya

..Petitioner(s)

Vs

The State represented by

its Inspector of Police,

Perur Police station,

Coimbatore District

Cr.No.267 of 2024.

..Respondent(s)

Prayer: This petition is filed under Section 482 of BNSS To enlarge the petitioners on bail in the event of his arrest by the respondent police in Cr.No.267 of 2026 on the file of the respondent police.

For Petitioner:

Mr. Prabhakaran Karuppannan



For Respondent(s):

Ms.J.R. Archana, Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehend arrest for the alleged offence under Sections 303(2) of BNSS,2023 and Section 21(1) of Mines and Minerals (Development & Regulation) Act in Crime No.267 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that when the defacto complainant who is a VAO while conducting field inspection found that the petitioner along with other accused were involved in illegally quarrying of red soil from the patta lands of A1 and A2 situated on the foothills at Karamadi hills without any valid permit. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and he is ready to co-operate with the investigation and abide by any other stringent conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted submitted that



there is no previous case pending against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

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5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case and the submissions made by both counsel; nature of offence and illegal quarrying in the patta lands of the petitioner and there is no previous case pending against the petitioner. I am inclined to grant anticipatory bail to the petitioner, subject to 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 (15) days from the date on which the order copy made, before the learned **Judicial Magistrate No.1 at Coimbatore** 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 learned Magistrate concerned, and on further condition that:

(a) If the petitioner 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;

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(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 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 accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To.

1. The **Judicial Magistrate No.1 at Coimbatore**

2. The Inspector of Police,
Perur Police station,
Coimbatore District

3. The Public Prosecutor,
High Court of Madras Chennai 600 104.



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K.RAJASEKAR, J.

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