



WEB COPY

CRL OP No. 2461 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2461 of 2026

Sivakumar @ Kuron
S/o.Annamalai,
No.1, Pon Nagar,
Thottalam, Ambur Taluk,
Thirupathur District 635307.

..Petitioner(s)

Vs

The State represented by
The Inspector of Police,
Ambur Taluk Police Station,
Tirupathur District.
Crime No.10 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner of bail, in the event of his arrest, in Crime No.10 of 2026 on the file of the Inspector of Police, Ambur Taluk Police Station, Thirupathur District and render justice.

For Petitioner(s):

Mr.Siddharth S

For Respondent(s):

Ms.J.R.Archana
Government Advocate (Crl.side)



Order

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Sections 329(3) and 303(2) of BNS, 2023 in Crime No.10 of 2026 registered on the file of the respondent police, seeks anticipatory bail.

2. The allegation against the petitioner is that he trespassed into the land of the defacto complainant and committed theft of 10 bags of sand from private land. Hence, the present 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. Hence, he prays for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has no previous case pending against him. Hence, he opposed the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.



6. Considering the nature of the allegations and sand was taken from private land, the fact that the petitioner has no previous case pending against him, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate, Ambur at Thirupathur District***, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police, daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;



WEB COPY



(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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) AIR SCW 5560]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

04-02-2026

DRL

To

1.The Judicial Magistrate,
Ambur at Thirupathur District.

2.The Inspector of Police,
Ambur Taluk Police Station,
Tirupathur District.

3.The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL OP No. 2461 of 2



K.RAJASEKAR J.

DRL

CRL OP No. 2461 of 2026

04-02-2026