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Crl.O.P.No.5438 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.5438 of 2026

S.Selva Kumar, S/o.Selvam

... Petitioner

Vs.

State rep by
Sub-Inspector of Police,
Jolarpettai Police Station,
Tirupattur.
(Crime No.5 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail on event of their arrest in connection with crime Number 5 of 2026 on the file of the respondent police.

For Petitioner : Mr.I.Periaswamy
For Respondent : Mr.P.Dhileepan,
Government Advocate (Crl.Side)

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2), 326(a) of BNSS, 2023 and Section 21(1) of Mines and Mineral Act in Crime No.5 of 2026, on the file of the respondent Police, seeks anticipatory bail.



2. The allegation against the petitioner is that he smuggled four units of sand in a tipper lorry. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and strongly opposed the application on the ground that the petitioner has 3 previous cases.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the fact that the petitioner has 3 previous cases, this Court is of the firm view that if the petitioner is enlarged on anticipatory bail, he may indulge in similar offences. Hence, this Court is not inclined to enlarge the petitioner on bail.



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7. Accordingly, this Criminal Original petition is dismissed.

03.03.2026

mp

To

- 1.The Sub-Inspector of Police, Jolarpettai Police Station, Tirupattur.
2. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

mp

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