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Crl.OP.No.3011 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.3011 of 2026

B.Dinesh

... Petitioner

Vs.

State of Tamilnadu rep by
The Sub Inspector of Police,
Ariyoor Police Station,
Vellore District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent police in Cr.No.14 of 2026 on the file of the respondent police.

For Petitioner : Mr.M.R.Thangavel

For Respondent : Ms.J.R.Archana
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 303(2), 326(a) of BNS, 2023 and Section 21(1) of Mines and



Minerals (Development & Regulation) Act, 1957 (corresponding to Sections 379, 430 of IPC) in Cr.No.14 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner is found to be stored 14 units of river sand for the purpose of constructing house. The revenue officials have inspected the premises and found that the same was quarried illegally from some other place, which led to registration of the case. Hence, the present petition for anticipatory bail.

3. The learned counsel appearing for the petitioner submitted that the petitioner has purchased the sand from A1 and he is the one who supplied the sand. He has purchased the same only for constructing the house. He further submitted that it is not case of illegal quarrying and the petitioner is ready to cooperate for the investigation and also ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prayed for 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 huge quantity of sand has been stored by this petitioner and investigation in this case is pending and no one is arrested in this case. Hence, he vehemently opposed the grant of anticipatory bail.



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

6. Considering the nature of allegations, the fact that the sand was stored in the house of petitioner, property has been seized and no one is arrested in this case. Though, investigation in this case is pending 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-I, Vellore*** 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 learned Judicial Magistrate-I, Vellore from Monday to Friday at 10.30 a.m., and also report before respondent police on Saturday and Sunday 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.

09.02.2026

Vv

To

- 1.The Judicial Magistrate-I, Vellore
- 2.The Sub Inspector of Police,
Ariyoor Police Station,
Vellore District.
- 3.The Public Prosecutor
High Court of Madras, Chennai 600 104.

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K.RAJASEKAR, J.

Vv

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