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Crl.O.P.No.4644 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.4644 of 2026

Chandrasekaran,
S/o.Manickam

... Petitioner

Vs.

State rep by
The Inspector of Police,
Vellore South Police Station,
Vellore District.
(Crime No.7 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 in the event of his arrest in Crime No. 7 of 2026 pending investigation on the file of respondent Police.

For Petitioner : Mr.Balamanikandan Ganesan
For Respondent : Mr.P.Dhileepan,
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 303(2) & 326 (a) of BNS, 2023 and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.7 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner joined hands with other accused illegally quarried the sand from Bagavathy hills (Bagavathy malai adi vaaram) by using Tipper lorry and JCB. The accused were intercepted by the police officials however the petitioner herein was escaped from the scene of occurrence. Hence, a case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the defacto complainant. He further submitted that he is only an employee and was not present at the scene of occurrence and he has been falsely implicated in this case. He further submitted that subsequently, the learned Principal Sessions Judge, Vellore granted bail to A1 to A3 on 22.01.2026 in Cr.M.P.No.201 of 2026. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that investigation is going on, hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and taking note of the fact that other accused were granted bail on 22.01.2026 in Cr.M.P.No.201



of 2026 and considering that the petitioner is only an employee, this Court is inclined to grant anticipatory bail to the petitioner, subject to 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 is made ready, 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 of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned 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 two weeks and thereafter, as and when required for interrogation;**



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C.KUMARAPPAN.J.

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

03.03.2026

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To

- 1.The Judicial Magistrate-I, Vellore.
- 2.The Inspector of Police, Vellore South Police Station, Vellore District.
- 3.The Public Prosecutor, High Court of Madras.

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