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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

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THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 4580 of 2026

Balu

..Petitioner(s)

Vs

The State rep. by its
The Inspector of Police,
Brammadesam Police Station,
Villupuram District.
Crime No.39/2026

..Respondent(s)

PRAYER This petition has filed under Section 482 of BNSS, 2023, seeking to enlarge the Petitioner on Anticipatory Bail in the event of his arrest in Crime No.39 of 2026 pending investigation on the file of the Inspector of Police, Brammadesam, Villupuram District.

For Petitioner(s): Mr.R.Sankarasubbu

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

ORDER

The petitioner who apprehends arrest at the hands of the respondent Police for the offences punishable under Section 21(1) Mines and Minerals (Development and Regulation) Act 1957 and 303(2) BNSS, in Crime No.39 of 2026, seeks anticipatory bail.



2.The allegation against the petitioner is that the petitioner earlier had a licence to run a quarry. After the licence period expired, the petitioner allegedly continued quarrying illegally by engaging various heavy vehicles. On receiving information, the Village Administrative Officer and his team went to the spot, whereupon the petitioner and the other accused abandoned the vehicles and fled from the place. Hence, a case has been registered and the vehicles have been seized.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and has not committed any such offence as alleged by the prosecution, and that he has been falsely implicated in this case. Hence, he prayed for the grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) for the respondent reiterated the prosecution case and submitted that the petitioner is also involved in eleven previous cases. However, all those cases relate to offences under the IPC, and in the present case it is alleged that the petitioner engaged the other accused in illegally quarrying stones. He further submitted that the investigation in this case is pending. Hence, he opposed for the grant of anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case and the submissions made by both counsels, and taking note of the fact that the vehicles have been seized, and though it is stated that the petitioner is involved in eleven previous cases, all of which relate to IPC offences, 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, Tindivanam** 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;

(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;

(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.

25-02-2026

GBI

To

1. The State rep. by its
The Inspector of Police,
Brammadesam Police Station,
Villupuram District.
Crime No.39/2026
2. The J.M-I, Tindivanam.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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