



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5471 of 2026

1. Koteswaran
S/o.Radakrishnan,
No.65, Gangaiyamman Kovil Street,
Neyveli,
Thiruvallur District.
2. Ruban @ Udhayakumar
S/o.Soundarpandi,
No.81, Annai Sathya Nagar,
Neyveli,
Thiruvallur District.

..Petitioner(s)

Vs

The state rep.by,
Inspector of Police,
Pennalurpet Police station,
Thiruvallur District.
Cr.No.211 of 2025.

..Respondent(s)

Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioners on
anticipatory bail in the event of their arrest in Cr.No.211 of 2025 on the file of
the Inspector of Police, Pennalurpet Police Station, Thiruvallur District.

For Petitioner(s): Mr.R.Thamaraiselvan

For Respondent(s): Mr.P.Dhileepan,
Government Advocate (Crl.Side)



ORDER

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The petitioner apprehends arrest for the alleged offences under Sections 303(2), 326(a) of the BNS Act read with Section 21(1) of the Mines and Minerals (Development and Regulation) Act, in Crime No.211 of 2025 on the file of the respondent police, and seeks anticipatory bail.

2. The case of the prosecution is that the petitioners were involved in the illegal transportation of half a unit of river sand from the Kosasthaliyar River in a Bolero vehicle without any valid license. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners transported only half a unit of river sand. It was submitted that, though the river sand was taken illegally, it was not for any commercial purpose and was intended solely for personal use. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is no previous case against the first petitioner, but in respect of the second petitioner, there are three previous cases. Hence, he opposed the grant of anticipatory bail.



5. While considering the relationship between the first and second petitioners, it is noted that the first petitioner is the owner of the vehicle and the second petitioner is the driver. Although there is no previous case against the first petitioner, the three previous cases pending against the second petitioner can be regarded as an aggravating circumstance in the present case, where river sand was transported illegally. Therefore, this Court is not inclined to enlarge the petitioners on anticipatory bail.

6. Accordingly, this Criminal Original Petition stands dismissed.

04-03-2026

cda

To

1. The Inspector of Police,
Pennalurpet Police station,
Thiruvallur District.

2. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN J.

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