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CRL OP No. 5328 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5328 of 2026

1. Manikandan Dharshanamoorthi
2. Karthik
3. Ammavasai Veeran
4. Ragothi Dharman
5. Nagarajan Muthal
6. Krishnamoorthy

..Petitioners

Vs

The State, rep by
The Inspector of Police,
Arakandanallur Police Station,
Villupuram District.
(Crime No.19 of 2026)

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in connection with Crime No. 19 of 2026 on the file of the respondent police.

For Petitioner:

Mr.J Jawahar

For Respondent:

Mr.P.Dhileepan
Government Advocate (Crl.Side)



ORDER

The petitioners apprehend arrest for the alleged offence under Sections 303(2) and 326(a) of the Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.19 of 2025 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioners were found in transporting 9 units of river sand illegally without valid permit or licence. Hence the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. He also submitted that except the sixth petitioner who is having one previous case, the other petitioners have no previous case. Therefore, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioners were involved in illegal transportation of river sand without proper licence or permit. He further submitted that as against the fourth petitioner, no FIR has been registered. Therefore, he opposed to grant anticipatory bail to the petitioners.



5. I have given anxious consideration to the submissions made by the learned counsel on either side.

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6. From the submission of the learned Counsel on either side, it is seen that as against the fourth petitioner, no FIR has been registered. Hence, the case against the fourth petitioner is dismissed. The other petitioners are arrayed as A2, A6, A9, A13 and A14 respectively. It is also seen that except the sixth petitioner, who is having one previous case, the other petitioners have no previous case. Considering the above facts and circumstances, this Court is of the view that some leniency can be shown to the petitioners 1 to 3, 5 & 6 with a warning that they shall not indulge in such type of offence in future. Accordingly, the petitioners 1 to 3, 5 & 6 are enlarged on bail, subject to certain conditions.

7. Accordingly, the petitioners 1 to 3, 5 & 6 are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned District Munsif Cum Judicial Magistrate Court, Thiruvannainallur**, on condition that the petitioners 1 to 3, 5 & 6 shall execute a bond each 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 petitioners 1 to 3, 5 & 6 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 petitioners 1 to 3, 5 & 6 shall report before the respondent police twice a day at 10.30 a.m. and 05.30 p.m. for a period of six 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 petitioners 1 to 3, 5 & 6 in accordance with law as if the conditions have been imposed and the petitioners 1 to 3, 5 & 6 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 petitioners 1 to 3, 5 & 6 thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.



8. Accordingly, this Criminal Original Petition *dismissed* as against the fourth petitioner.

05-03-2026

NSL

To

1. The District Munsif Cum Judicial Magistrate, Thiruvannainallur.
2. The Inspector of Police,
Arakandanallur Police Station,
Villupuram District.
3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

NSL

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