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Crl.O.P.No.5848 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

Crl.O.P.No.5848 of 2026

Kuppan

... Petitioner

Vs.

State rep by the Inspector of Police,
Chengam Police Station,
Chengam, Tiruvannamalai District.
(Crime No.407 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Crime No.407 of 2025 on the file of the respondent police.

For Petitioner	:	Mr.G.Vinodh Kumar
For Respondent	:	Mr.P.Dhileepan Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest for the alleged offence **under Sections 303(2) of BNS r/w 21(5) of Mines and Minerals (Development & Regulations) Act, 1957** in **Crime No.407 of 2025**, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner along with



other accused involved in illegal quarrying and transportation of three cubic metres of gravel sand from Puthupettai lake, Tiruvannamalai District, by using a Lorry. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any such offence as alleged by the defacto complainant and he has been falsely implicated in this case. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate with the investigation. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that no previous bad antecedents have been registered against him. However, he strongly opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

6. From the submissions made by the learned Government Advocate (Criminal Side), it is seen that the petitioner has no previous cases. However, this Court is of the view that theft of natural resources is a serious offence. Nevertheless, considering the humanitarian grounds and the submission that the petitioner would mend himself and would not commit any similar offence



in future, this Court is inclined to enlarge the petitioner on anticipatory bail, 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 ready, before **the learned Judicial Magistrate, Chengam**, 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 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 sign before the respondent police twice a day at 10.30 a.m., and 5.00 p.m., for a period**



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

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To:

- 1.The Judicial Magistrate, Chengam.
- 2.The Inspector of Police, Chengam Police Station, Chengam, Tiruvannamalai District.
- 3.The Public Prosecutor, High Court of Madras.

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