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CRL OP No. 6261 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6261 of 2026

1. Mahendhiran
S/o Rajendiran
DoorNo 153H/N56,
Adhidrandar street.
Karuppur post,
Nalamputhur,Cuddalore,
Karuppur TamilNadu 608401
2. Kajendiran Arumugam
S/o.Arumugam,
No 39 Big Street,
Kurupoor post,
Nalamputhur,
Kuruppur,
Cuddalore,
Tamilnadu- 608 401.

..Petitioner(s)

Vs

State rep. by its The Inspector of Police
Kumaratchi Police Station,
Cuddalore District.
Crime No. 3/2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the Petitioners on bail in the event of their arrest concerned in Crime No.3 of 2026, on the file of the Inspector of Police, Kumaratchi Police Station, Cubbalore District, on such terms and conditions and as this Honble court.

For Petitioner(s):

J.Ragothaman

For Respondent(s):

Mr.P.Dhileepan

Government Advocate (Crl.Side)



ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2), 326(a), of BNS Act r/w. 21(1) of the Mines and Minerals (Development & Regulation) Act, 1957, in Crime No. 3 of 2026, seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners were found in illegal transportation of 120 kgs of river sand in 2 bags without valid permit. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. The petitioners are ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that, petitioners have no previous cases and the property has been recovered. He further submitted that this is the second anticipatory bail petition, and the earlier petition was dismissed by this Court in Crl.O.P.No.3578 of 2026 dated



17.02.2026. Hence, he opposed to grant anticipatory bail to the petitioners.

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5. From the submissions made by the learned Government Advocate (Crl.Side), it is seen that the petitioners have no criminal antecedents. Since the petitioners did not come under the adverse notice of the respondent, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners 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 Judicial Magistrate No.II, Chidambaram**, on condition that **the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 fail 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 shall report before the respondent police everyday 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 in accordance with law as if the conditions have been imposed and the petitioners 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 thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

MPA

11-03-2026



To

1. The Judicial Magistrate No.II, Chidambaram.

2. The Inspector of Police
Kumaratchi Police Station,
Cuddalore District.
Crime No. 3/2026.

3. The Public Prosecutor, High Court of Madras,
Chennai.



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C.KUMARAPPAN, J.

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