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Crl.O.P.No.6016 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.6016 of 2026

Chakkaravarthi

... Petitioner

Vs.

State rep by
The Inspector of Police,
Kandili Police Station,
Tirupattur District.
(Crime No. 257 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.257 of 2025 on the file of the respondent police.

For Petitioners : Mr.M.Machavatharan

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 305(e), 326(a) of BNS 2023 in Crime No.257 of 2025 on the file of the respondent police seeks anticipatory bail.



2. The allegation against the petitioner is that on 28.09.2025 at about 3.00 p.m, the petitioner joining with other accused had quarried one unit of sand from Pughagaram Lake and transported the same by lorry without any valid licence from the Government of Tamil Nadu. The respondent police seized the said vehicle. Hence, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that this is the fourth anticipatory bail and the earlier petitions were dismissed on the ground that the petitioner had quarried sand from the lake and the same was transported illegally. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioners.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioner has one previous case pending against him. Hence, he opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions.

6. From the submissions made by the learned Government Advocate (Crl.Side), it is seen that though the petitioner has one previous case pending against him and that only one unit of sand was transported through a lorry using a JCB machine. Though this Court views offences involving natural



resources very seriously, considering the fact at this length of time custody of the petitioner is not required. Accordingly, taking into consideration the age of the petitioner and upon the fact that custodial interrogation of the petitioner is not necessary, at this length of time, though the earlier anticipatory bail petitions were dismissed, this Court is inclined to show some leniency and enlarge the petitioner on anticipatory bail with 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 is made ready, before the **learned Judicial Magistrate No.II, Tirupattur**, 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 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 petitioner shall report before the respondent



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Police, daily at 10.30 a.m. and 5.30 p.m, for a period of 45 days 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.

09.03.2026

DRL

To

1.The Judicial Magistrate No.II,
Tirupattur.

2.The Inspector of Police,
Kandili Police Station,
Tirupattur District.

3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN.J.

DRL

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