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CRL OP No. 6936 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6936 of 2026

1. M.Kumar
S/o.Marimuthu,
No.18, Mettu Street,
Pammadukulam,
Erankuppam,
Tiruvallur District.
2. T.Murugan
S/o.Thanikachalam,
No.3/99, Gangaiyamman Koil Street,
Palavaayal,
Theerthagiriyampattu,
Madhavaram,
Tiruvallur District.

..Petitioner(s)

Vs

The State rep.by, The Inspector of Police,
The Inspector of Police,
Redhills Police Station,
Tiruvallur District.
Cr.No.704 of 2025.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioners on bail in the event of his arrest by the respondent police concerned in Cr.No.704 of 2025 on the file of the Inspector of Police, Redhills Police Station, Tiruvallur District on such terms and conditions and as this Honble Court.

For Petitioner(s):

R.Parthiban

For Respondent(s):

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



ORDER

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The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNSS, 2023, and Section 21(1) of Mines & Mineral (Development & Regulation) Act, 1957 in connection with the Cr. No.704 of 2025, seek anticipatory bail.

2. The case of the prosecution is that on 30.10.2025, the Deputy Tahsildar, Department of Geology and Mining, Thiruvallur, while conducting an inspection, found the petitioners illegally transporting 2 unit of river sand without any valid permit. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioners are innocent and no way connected with the alleged offence, and they have been falsely implicated in this case. 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's case and on instructions submitted the respondent police seized the vehicle and 2 units of river sand from the accused, the investigation in this case is at initial stage and no cases are



pending against the petitioners. However, he opposed for grant of anticipatory bail to the petitioners.

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

6. From the submission made by the learned Government Advocate (Crl.Side) it is seen that the petitioners have no bad antecedents. Though, this Court views the offence of theft of natural resources and its exploitation as serious offence, taking into consideration of the fact that they have no previous case, and upon the fond hope that they would mend themselves in future and would not come under the adverse notice of the respondent, this Court is inclined to enlarge them on anticipatory bail, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory 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 made ready, before **the learned Judicial Magistrate-II, Ponneri**, on condition that **the petitioners shall execute a separate bond for a sum of Rs.20,000/- each (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 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 deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) each as a non-refundable amount, with the Tamilnadu State Legal Services Authority, High Court of Madras and produce the receipt at the time of executing the bond;

(d) The petitioners shall report before the respondent police twice a day at 10.30 am and 5.30 pm. for a period of six weeks and thereafter as and when required for interrogation;

(e) 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]*;



(f) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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MPA

To

1. The Judicial Magistrate-II, Ponneri.
2. The Inspector of Police,
Redhills Police Station,
Tiruvallur District.
Cr.No.704 of 2025.

3. The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

MPA

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