



WEB COPY

CRL OP No. 7773 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7773 of 2026

1.Kumar
S/o. Madhu,
3/220, Muthampatti,
Gendikanaalli,
Palacode,
Kottumaranahalli,
Dharmapuri District.
2.Vanitha
W/o. Mariyappan,
2/333, Sikkathimmana Alli,
A.Sappanipatti Post,
Palacode,
Dharmapuri District.

..Petitioner(s)

Vs

State Rep.by, The Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.
(Crime No.31 of 2026).

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on anticipatory bail in the event on their arrest by the Respondent Police in Crime No.31 of 2026 on the file of the Respondent police.

For Petitioner(s):
For Respondent(s):

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



ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 303(2) of BNS, 2023 r/w. 21(1) and 21(4) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.31 of 2026, seek anticipatory bail.

2. The allegation against the petitioners is that they were involved in illegally quarrying two units of Norampu sand from Silperi Lake. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. He also submitted that this is the second anticipatory bail petition and that the earlier petition was dismissed by this Court in CrI.O.P. No. 2603 of 2026, by order dated 05.02.2026. Therefore, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side), appearing for the respondent police, reiterated the prosecution case and, upon instructions, submitted that the first petitioner has one previous case under the TNPPDL Act,



while the second petitioner has no previous cases. However, he opposed the grant of anticipatory bail to the petitioners.

WEB COPY

5. I have given anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

6. From the submissions made by the learned Government Advocate (Criminal Side), it is seen that the first petitioner has one previous case under the TNPPDL Act, which indicates his antecedents. Hence, this Court is of the view that the first petitioner does not deserve the grant of anticipatory bail. Accordingly, this petition is dismissed insofar as the first petitioner is concerned.

7. Insofar as the second petitioner is concerned, she has no adverse antecedents and is a woman. Though this Court views offences relating to theft and exploitation of natural resources as serious in nature, taking into consideration the fact that the second petitioner has no previous cases, and with the hope that she will not indulge in similar offences in future, this Court is inclined to enlarge the second petitioner on anticipatory bail, subject to certain conditions.

8. Accordingly, the 2nd petitioner is ordered to be released on bail in the



event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **Learned District Munsif Cum Judicial Magistrate, Karimangalam**, on condition that the **petitioner 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 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 is directed to make a non-refundable deposit of Rs.50,000/- [Rupees Fifty Thousand Only] directly to the credit of “Tamilnadu State Legal Services Authority, High Court Campus, Chennai”, without prejudice to the right of the defence before the Trial Court and the receipt shall be produced at the time of executing the bond;**

(d) **The petitioner shall report before the respondent police daily at 10.30 am and 5.30 pm for a period of two months; thereafter as and when required;**

(e) 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]***;

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

27-03-2026

MPA

To

1. The District Munsif Cum Judicial Magistrate, Karimangalam.
2. The Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.
(Crime No.31 of 2026).

3. The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL OP No. 7773 of 2



C.KUMARAPPAN, J.

MPA

CRL OP No. 7773 of 2026

27-03-2026