



WEB COPY

CRL OP No. 5641 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. 5641 of 2026

1. Venkatesulu
S/o,Ramachandra Naidu,
No.1431,H-Block,
4th Floor,
17thMain Road,
Anna Nagar,
Chennai-600040
2. Bhojendra Chowdary
S/o.Jayachandra Naidu
No1431,
H-Block,
4th Floor,
17th Main Road,
Anna Nagar,
Chennai-600040

..Petitioner(s)

Vs

State rep.by, The Inspector of Police,
Korattur Police Station,
Avadi City.
(Crime No.87 of 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 in Crime No.87 of 2026 pending investigation on the file of the respondent Police and thus render Justice.

For Petitioner(s):

T.Dhasarathan

For Respondent(s):

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



ORDER

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2. The allegation against the petitioners is that they were involved in the illegal transportation of 3 units of sand using two tipper lorries without any valid licence or permit. Upon seeing the police, they allegedly fled from the scene of occurrence. Hence, the case has been registered and the vehicles have been seized.

3. The learned counsel for the petitioners submitted that the petitioners are the contractors of Metro Water supply hence they have had valid permit to transport the sand. He further submitted that they are ready to abide by any stringent condition that may be imposed by this Court and they are ready to co-operate with the investigation. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions,



submitted that the petitioners have got no previous bad antecedents. However, he opposed to grant 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, Ambattur**, on condition that **the petitioner shall execute a separate 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:



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(a) If the petitioners 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;

(c) The petitioners shall deposit a sum of Rs.15,000/- (Rupees Fifteen 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 sign before the respondent police twice a day at 10.30 a.m., and 5.30 p.m., for a period of eight 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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To

1. The Judicial Magistrate, Ambattur.
2. The Inspector of Police,
Korattur Police Station,
Avadi City.
(Crime No.87 of 2026)
3. The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

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