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Crl.O.P.No.6039 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

Crl.O.P.No.6039 of 2026

K.Thirumurugan

... Petitioner

Vs.

The State of Tamil Nadu,
Represented by The Inspector of Police,
Pudhupettai Police Station,
Cuddalore District.
(Crime No.56 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Crime No.56 of 2026 on the file of the respondent police.

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

ORDER

The petitioner, who apprehends arrest for the alleged offence **under Sections 303(2), 326(a) of BNS, 2023 r/w 21(1) of The Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.56 of 2026**, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that while the respondent was



on regular patrol based on secret information about illegal mining, they went to the spot and found that the petitioner was illegally transporting two bags of river sand in a two-wheeler and on seeing the police he ran away from there. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any such offence as alleged by the defacto complainant and he has been falsely implicated in this case. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate with the investigation. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioner has got 4 previous cases not of similar in nature. However, he opposed to grant anticipatory bail to the petitioner.

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

6. Though the petitioner has got four previous cases, the same is not similar in nature and even in this case, the petitioner has transported only two bags of sand. Considering the above fact, this Court is inclined to enlarge the petitioner on anticipatory bail subject to certain conditions:



7. Accordingly, the petitioner is ordered to be released on anticipatory 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 made ready, before **the learned Judicial Magistrate No.II, Panruti**, 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 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 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;**

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(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate



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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

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To:

- 1.The Judicial Magistrate-II, Panruti.
- 2.The Inspector of Police,
Pudhupettai Police Station, Cuddalore District.
- 3.The Public Prosecutor, High Court of Madras.

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