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CRL OP No. 6265 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6265 of 2026

Shabeer
aged 34 years
S/o. Nazeer Sahib
No.2/374-1 Road Street,
Gengapuram Post
Tiruvannamalai District -632 313

..Petitioner(s)

Vs

The State Rep.by, The Inspector of Police
Peranamallur Policer Station
(Cr.No.7/2026)
Tiruvannamalai District.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the Petitioner on bail in the event of arrest in Crime No.7 of 2026 on the file Peranamallur Police Station the respondent police or on surrendering before the court and pass such further or other order as this Honble court deems fit and proper in the circumstance of the case and thus render justice.

For Petitioner(s): M/s. A.VILJAYAKUMAR

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

ORDER

The petitioner who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 303(2), 326(a) of BNS Act r/w Sections 21(5) of Mines and Minerals (Development & Regulation) Act, in



Crime No. 07 of 2026, seeks anticipatory bail.

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2. The case of the prosecution is that based on secret information, the respondent police went to the scene of occurrence and found that the petitioner along with other accused had illegally quarried one unit of river sand with the help of tipper lorry. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there is no previous cases pending against the petitioner and the property has been recovered. However, he opposed to grant anticipatory bail to the petitioner.

5. From the submissions made by the learned Government Advocate (Crl.Side), it is seen that the petitioner has no criminal antecedents. Since the petitioner did not come under the adverse notice of the respondent, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



6. 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 Court, Cheyyar**, 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 shall report before the respondent police daily at 10.30 am and 5.30 pm. for a period of six weeks and thereafter as and when required;

(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.

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To

1. The Judicial Magistrate Court, Cheyyar.

2. The Inspector of Police
Peranamallur Policer Station

(Cr.No.7/2026)

Tiruvannamalai District.

3. The Public Prosecutor, High Court of Madras,
Chennai.



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C.KUMARAPPAN, J.

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