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CRL OP No. 6073 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6073 of 2026

Balasubramaniam

..Petitioner(s)

Vs

State Rep. by The Inspector of Police,
Dhally Police Station,
Tiruppur District.
(Crime No.25 of 2026)

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023 to enlarge the petitioner on bail in the event of his arrest in Crime No.25 of 2026 pending investigation on the file the respondent police.

For Petitioner(s): Mr.M.N.Balakrishnan

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 303(2) of BNS, 2023 and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.25 of 2026 on the file of the respondent police seeks anticipatory bail.



2.The case of the prosecution is that the petitioner, had illegally transported eighteen (18) units of gravel sand without any valid permit through a tipper lorry. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case. He further submitted that there is no previous cases to the credit of the petitioner. 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 submitted that the petitioner had illegally transported 18 units of gravel sand. However, he fairly submitted that the petitioner has no previous cases registered against him.

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 any adverse notice of the respondent police and considering the fact that the petitioner is aged about 60 years, 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 – II, Udumalpet**, 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]***;



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C.KUMARAPPAN, J.

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

10-03-2026

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To

1. The Judicial Magistrate Court – II, Udumalpet.
2. The Inspector of Police,
Dhally Police Station,
Tiruppur District.
3. The Public Prosecutor,
High Court, Madras.

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