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CRL OP No. 7205 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7205 of 2026

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..Petitioner(s)

Vs

State Rep by
The Inspector of Police,
Neyveli Township, Police Station,
Cuddalore,
Tamil Nadu - 606115
Crime No. 329 of 2025

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 482 of BNSS, 2023, pleaded to enlarge the petitioner on bail in the event of arrest at the hands of the respondent police in Crime No. 329/2025 pending on the file of Inspector of Police, Neyveli Township Police Station, Cuddalore and render justice.

For Petitioner(s):	Mr.Hemnaag I
For Respondent(s):	Mr.P.Dhileepan Government Advocate (Criminal side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 303(2), 326(a) of BNS r/w Section 21 (1) of Mines and Minerals (Development & Regulation) Act 1957 in Crime No.329 of 2025, seeks anticipatory bail.



2.The case of the prosecution is that, the petitioner had illegally transported 4 units of pebbles. Hence, the complaint.

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3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent 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 ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that there is no previous cases pending against the petitioner.

5.At this juncture, the learned counsel for the petitioner would submit that the petitioner, without prejudice to his defence and contention, is ready and willing to deposit an amount of Rs.40,000/- as non-refundable deposit to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of anticipatory bail to the petitioner.

6. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.40,000/- (Rupees**



Forty Thousand only) as non refundable deposit to **“Tamilnadu State Legal Services Authority, High Court Campus, Chennai”**, without prejudice to the right of the defence before the Trial Court and making it clear that it would not amount to admission of guilt.

7.From the submission made by the learned Government Advocate (Criminal Side) it is seen that the petitioner had 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 petitioner had no previous cases, and upon the fond hope that he would mend himself in future and would not come under the adverse notice of the respondent, this Court is inclined to enlarge him on anticipatory bail, subject to certain conditions.

8.Accordingly, petitioner is directed to make a non-refundable deposit of **Rs.40,000/- [Rupees Forty 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, on such deposit and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **Learned District Munsif / Judicial Magistrate, Neyveli** 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

(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;

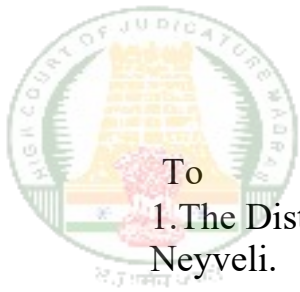
(c) The petitioner shall report before the respondent police daily at 10.30 am and 5.30 pm for a period of two months; thereafter as and when required;

(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 District Munsif / Judicial Magistrate,
Neyveli.

2. The Inspector of Police,
Neyveli Township, Police Station,
Cuddalore,
Tamil Nadu - 606115

3. The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN, J.

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