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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8101 of 2026

1. Muthuraman
S/o. Duraisamy
No.152, Bajanai Kovil
Street,Ganesapuram,Tiruvannamalai District.
2. Dinesh
S/o. Muthu,
No.896, Dhurukam Road,Vannankulam, Arni
Taluk,Tiruvannamalai District.

..Petitioner(s)

Vs

The State Rep. by its Inspector of Police
Santhavasal Police Station,
Tiruvannamalai District.
(Crime No. 419 /2025)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in the event of arrest in Crime No. 419 of 2025 on the file of the respondent police station and thus render justice.

For Petitioner(s): Mr.E.Sathiyaraj Elangovan

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

ORDER

The petitioners herein apprehend arrest at the hands of the respondent



police for the offences punishable under Sections 303(2), 326(a) of BNS Act and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.419 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners had involved in illegal transportation of three units of red soil with the help of lorry by using JCB. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that this is the second anticipatory bail petition. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and fairly submitted that the petitioners have no previous case. However, he opposed to grant anticipatory bail to the petitioners.

5. This Court is very serious in respect of exploitation of natural resources. However from the submission made by the learned Government Advocate, it appears that the petitioners have no adverse notice from the



respondent. Taking into consideration of all such peculiar aspects and also to give one opportunity for the petitioners to mend themselves, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on they appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Polur, Tiruvannamalai District**, on condition that **the petitioners 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:

(a) If the petitioners 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 petitioners shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) each, as a non-refundable amount,**



to 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 report before the respondent Police, everyday at 10.30 a.m. and 5.30 p.m for a period of 30 days;

(e) 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]*;

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

01-04-2026

DRL

To

1. The Judicial Magistrate,
Polur, Tiruvannamalai District.

2. The Inspector of Police
Santhavasal Police Station,
Tiruvannamalai District.

3. The Public Prosecutor,
High Court, Madras.



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CRL OP No. 8101 of 2



C.KUMARAPPAN, J.

DRL

CRL OP No. 8101 of 2026

01-04-2026