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CRL OP No.6953 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No.6953 of 2026

1. Saravanan
S/o.Chinnasamy,
No.115, Muthagoundanur,
Puthagram Post,
Tirupattur Taluk,
Tirupattur District.
2. Tamil @ Tamilmani
S/o.Dhandapani,
No.2/18, Periyakonapattur,
Puthagaram Post,
Tirupattur Taluk,
Tirupattur District.

...Petitioners/Accused
No.1 and 3

Vs

The State Rep.by,
The Inspector of Police,
Kandili Police Station,
Tirupattur District.
(Crime No.257 of 2025)

...Respondent/
Complainant

Prayer : Criminal Original Petition filed under Section 482 of BNSS to enlarge the Petitioners on bail in the event of their arrest by the respondent police concerned in Crime No.257 of 2025 on the file of the Inspector of Police, Kandili Police Station, Tirupattur District.



For Petitioners :

Mr.R.Parthiban

For Respondent:

Mr.P.Dhileepan

Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest for the alleged offences **under Sections 305(e) and 326(a) of the Bharatiya Nyaya Sanhita (BNS) Act, 2023 (Sections 380 and 430 of IPC)**, in **Crime No.257 of 2025**, on the file of the respondent police, seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners were involved in the illegal transportation of one unit of lake sand without any valid permit or licence and that the petitioners were caught red-handed by the respondent police. Hence, the case.

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



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

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

6. From the submission made by the learned Government Advocate (Crl.Side) the petitioners do not have any previous cases. Though this Court views the offence of theft of natural resources and its exploitation as a serious offence, taking into consideration of the fact that the petitioners have no previous case, and upon the fond hope that they would mend themselves in the future and would not come under the adverse notice of the respondent, this Court is inclined to enlarge them on anticipatory bail, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their 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, Tirupattur, 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 fail 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 petitioners shall sign before the respondent police twice a day at 10.30 a.m., and 5.30 p.m., for a period of four weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;



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

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Copy to:

- 1.The Judicial Magistrate No.II,
Tirupattur.
2. The Inspector of Police,
Kandili Police Station,
Tirupattur District.
- 3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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CRL OP No. 6953 of 2026

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