



Crl.O.P.No.6990 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 18.03.2026**

CORAM

**THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN**

**Crl.O.P.No.6990 of 2026**

1.Balamalai  
2.Srinivasan

... Petitioners

Vs.

The State rep by  
The Inspector of Police,  
Sankari Police Station,  
Salem District.  
(Crime No.23 of 2026)

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.23 of 2026 pending investigation on the file of the respondent police.

For Petitioners : Mr.A.Saravanan

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



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## **ORDER**

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The petitioners apprehend arrest for the alleged offence under Section 303(2) of BNS, 2023, and Section 21(1) (4) of Mines and Minerals (Development & Regulations) Act, 1957, in Crime No.23 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioners were found transporting 4 units of limestone without valid permission in a tipper lorry. Hence, the case has been registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any such offence as alleged by the de facto 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.



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However, he opposed to grant anticipatory bail to the petitioners.

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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) it is seen that the petitioners have 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 they have no previous case, and upon the fond hope that they would mend themselves 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.

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-I, Sankari**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- each (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 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.30,000/- each (Rupees Thirty Thousand only) (Non refundable) towards the account of CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at Union Bank of India, Madhya Kailash Branch, Cancer Institute(WIA), Dr.S.Krishnamurthi Campus, Sardar Patel Road, Chennai-36, bearing SB Account No.149710011005477, IFSC Code No.UBIN0814971, Branch Name and Code 814971, MICR No.600026110 and to produce the Bank Challan before the concerned Magistrate and the receipt shall be produced at the time of executing the bond;**

**(d) The petitioners shall report before the respondent police twice a day at 10.30 am and 5.30 pm. for a period of six weeks and thereafter as and when required for interrogation;**

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate



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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 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.

**18.03.2026**

cda

To

- 1.The Judicial Magistrate-I, Sankari.
- 2.The Inspector of Police,  
Sankari Police Station,  
Salem District.
- 3.The Public Prosecutor,  
High Court of Madras.



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**C.KUMARAPPAN, J.**

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