



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7333 of 2026

Devaraj

..Petitioner

Vs

The State rep.by,
The Inspector of Police,
Kalambur Police Station,
Tiruvannamalai District.
Crime No.49/2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant an anticipatory bail to the petitioner in event of his arrest in Crime No.49 of 2026 pending on the file of the respondent police.

For Petitioner:

Mr.Gopalakrishnan B

For Respondent:

Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 303(2) & 326(a) of BNS, 2023 in Crime No.49 of 2026, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner has illegally transported the river sand without any valid permit. Hence, the case.



3. The learned counsel for the petitioner submitted that the petitioner is innocent and 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 reiterated the prosecution case and, upon instructions, submitted that no previous cases have been registered against the petitioner. However, he opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent.

6. From the submission made by the learned Government Advocate (Criminal Side) it is seen that the petitioner has 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 he has no previous case, 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.



7. Accordingly, the petitioner is ordered to be released on anticipatory 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 made ready, before **the learned Judicial Magistrate, Arani** 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 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 petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty 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 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;

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

24-03-2026

NSL

To

1. The Inspector of Police,
Kalambur Police Station,
Tiruvannamalai District.

2. The Public Prosecutor
High Court of Madras.

3. The Judicial Magistrate, Arani.



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C.KUMARAPPAN, J.

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