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CRL OP No. 8600 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 07-04-2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 8600 of 2026**

1. Mari
2. Ramu
3. Jayaraman

..Petitioner

Vs

State by  
The Inspector of Police  
F2-SIPCOT Police Station  
Thiruvallur District  
(Crime No. 275 of 2025)

..Respondent

Prayer: Criminal Original Petition filed under section 482 of BNSS to enlarge the petitioner on bail in the event of their arrest by the respondent police concerned in Crime No 275 of 2025 on the file of Inspector of Police, F2 SIPCOT Police Station, Thiruvallur District.

For Petitioner:

Mr.S. Sasikumar

For Respondent:

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

### **ORDER**

The petitioners, who apprehends arrest for the alleged offence under Sections 303(2), 326(a) of BNS 2023 and Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957 in Crime No.275 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 illegal transportation of 1 unit of sand using Tractor and JCB without any valid permit or licence and that the petitioners was caught red handed by the respondent police. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners were innocent and that 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 petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

6. From the submission made by the learned Government Advocate (Criminal Side) it is seen that the petitioners had no bad antecedents. Though,



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this Court views the offence of theft of natural resources and its exploitation as serious offence, taking into consideration of the fact that petitioners 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.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **learned District Munsif cum Judicial Magistrate, Gummidipoondi**, on condition that the **petitioners shall execute a separate 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 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 are directed to make a non-refundable deposit of Rs.1,60,000/- [Rupees One Lakh and**



**sixty Thousand Only] totally (for all the three petitioners) directly to the credit of “Tamil Nadu State Legal Services Authority, High Court Campus, Chennai”, without prejudice to the right of the defence before the Trial Court and the receipt shall be produced at the time of executing the bond;**

**(d) The petitioners 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;**

**(e) 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 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.**

**07-04-2026**

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To:

1. The District Munsif cum Judicial Magistrate, Gummidipoondi
2. The Inspector of Police  
F2-SIPCOT Police Station  
Thiruvallur District
3. The Public Prosecutor  
High Court of Madras



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**C.KUMARAPPAN J.**

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