



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8248 of 2026

Viswa
S/o. Murugan,
Thokkavadi Village,
Chengam Taluk,
Tiruvannamalai District.

..Petitioner(s)

Vs

State Rep. by The Inspector of Police
Chengam Police Station,
Tiruvannamalai District.
Crime No.63/2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest pending in Crime No.63/2026 on the file of Respondent Police and thus render justice.

For Petitioner(s): Mr. S.L. Venkatesan

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 303(2), 326(a) of BNS Act r/w Section 21(5) of Mines and Minerals (Development & Regulations) Act, 1957, in Crime No.63 of 2026, on the file of the respondent Police, seeks anticipatory bail.



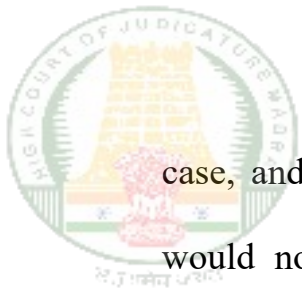
2. The case of the prosecution is that the petitioner was illegally quarried 1/4 unit of river sand by using a bullock cart. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and has been falsely implicated in this case. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and sought anticipatory bail for the petitioner.

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

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

6. From the submission made by the learned Government Advocate (Crl.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 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 petitioner is ordered to be released on 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 is made ready, before the **learned Judicial Magistrate, Chengam, Tiruvannamalai District**, on condition that **the petitioner shall execute a 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 petitioner 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 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;**

(d) 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]***;

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

02-04-2026

DRL

To

1.The Judicial Magistrate,
Chengam, Tiruvannamalai District.

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

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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