



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8098 of 2026

1. Balu
S/o.Palani,
Residing at
Vambalore Village,
Thirulnalai Post, Polur Taluk,
Thiruvannamalai District.
2. Vinoth
S/o. Parasuraman,
Residing at
Vambalore Village,
Thirulnalai Post,
Polur Taluk,
Thiruvannamalai District.
3. Rajkumar
S/o.Palani,
Residing at
Vambalore Village,
Thirulnalai Post,
Polur Taluk,
Thiruvannamalai District.

..Petitioner(s)

Vs

State Rep.by, The Inspector of Police
Kalambur Police Station,
Thiruvannamalai District.
(Crime No. 453/2025)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023,
to enlarge the Petitioners on Bail in the event of their arrest in Crime.No.453 of



2025 on the file of the Respondent and thus render justice.

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2), 326(a) of BNS Act and Section 21(1) of MMDR Act, in Crime No.453 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioners is that the petitioners were illegally transporting 1/4 unit of river sand in a bullock cart. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court and sought anticipatory bail for the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions,



submitted that the first petitioner has one previous case, the second petitioner has no previous case and the third petitioner has two previous cases pending against them. Hence, he opposed to grant anticipatory bail to the petitioners.

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

6. Taking a serious view of the conduct and antecedents of the first and third petitioners, this Court is of the view that they do not deserve anticipatory bail. Accordingly, this Criminal Original Petition is dismissed with regard to the first and third petitioner.

7. As far as the second petitioner is concerned, he 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 the second petitioner 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 the second petitioner on anticipatory bail, subject to certain conditions.

7. Accordingly, the second 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, Arni**, on condition that **the second 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 second 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 second petitioner shall report before the respondent police daily at 10.30 for a period of two 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 second petitioner in accordance with law as if the conditions have been imposed and the second 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 second petitioner thereafter absconds, a fresh FIR
can be registered under Section 269 of BNS Act.

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01-04-2026

DRL

To

1.The Judicial Magistrate,
Arni

2.The Inspector of Police
Kalambur Police Station,
Thiruvannamalai District.

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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