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CRL.OP.No.8493 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL.OP No.8493 of 2026

1.V.Palanisamy

2.M.Manogar

...Petitioners

Vs.

The State,
The Inspector of Police,
Sethiyathope Police Station,
Sethiyathope, Bhuvanagiri Taluk.
Cuddalore District.
(Crime No.63 of 2026)

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to grant anticipatory bail to the petitioners in the event of their arrest in connection with the case in Crime No.63 of 2026 on the file of Sethiyathope Police Station, Cuddalore District.

For Petitioner(s):

Mr.P.R.Thiruneelakandan

For Respondent(s):

Mr.P.Dhileepan,

Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence **under Sections 303(2) and 326(a) of the Bharatiya Nyaya Sanhita, 2023, read with Section 21(1) of the Mines and Minerals (Development and Regulation) Act, in Crime No.63 of 2026**, on the file of the respondent police seek anticipatory bail.



2. The allegation against the petitioners is that they were involved in illegal transportation of 6 bags of soil. Hence, the case has been registered.

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3. The learned counsel for the petitioners submitted that the petitioners are an innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are the labourers of the other accused viz., A1 to A3 and that they have only transported the soil from one land to another land and they are ready to abide by any stringent conditions that may be imposed by this Court. 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 opposed for grant of anticipatory bail to the petitioners.

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. Taking into consideration of totality of circumstances and small quantity of the soil involved and apart from that the petitioners are labourers and no vehicle has been used, this Court is inclined to enlarge them 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 Judicial Magistrate No.2, Chidambaram**, on condition that the **petitioners shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each, 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 shall report before the respondent police daily at 10.30 a.m., 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 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]*;



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

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To

1.The Judicial Magistrate No.2, Chidambaram.

2. The Public Prosecutor,
High Court, Madras.

3.The Inspector of Police,
Sethiyathope Police Station,
Sethiyathope, Bhuvanagiri Taluk.
Cuddalore District.
(Crime No.63 of 2026)



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C.KUMARAPPAN, J.

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