



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9028 of 2026

1. Velu, S/o.Balaraman
2. A.S.Sudhakar, S/o.L.Srinivasalu

..Petitioners

Vs

The State rep. By
Inspector of Police,
Pernampet Police Station,
Vellore District.
Crime No.94 of 2026

..Respondent

Prayer: Criminal Original Petitions filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023 to enlarge the Petitioners' anticipatory bail in the event of their arrest in Crime No.94 of 2026 pending investigation on the respondent police.

For Petitioner : Mr.A.Vijayakumar

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

ORDER

The petitioner, who apprehends arrest for the alleged offence **under Sections 303(2) of the Bharatiya Nyaya Sanhita (BNS) Act, 2023** in **Crime No.94 of 2026**, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioners is that the petitioners were involved in illegal transportation of 3 unit of Blue Metal Post Stone in a tractor



without any valid permit or licence and that the petitioners were caught red handed by the respondent police. Hence, the case.

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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, 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 they would mend themselves in



future and would not come under the adverse notice of the respondent, 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 Court, Gudiyatham, Vellore District**, 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 petitioners 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 petitioners are directed to make a non-refundable deposit of Rs.75,000/- each [Rupees Seventy Five Thousand Only] totally Rs.1,50,000/- [Rupees One Lakh Fifty Thousand only] directly to the credit of “Tamilnadu 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 petitioner shall report before the respondent police daily at 10.30 am and 5.30 pm for a period of two months;

(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.

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To

1. The Judicial Magistrate Court, Gudiyatham, Vellore District.
2. The Public Prosecutor,
High Court, Madras.
3. The Inspector of Police,
Pernampet Police Station,
Vellore District.
4. The Tamilnadu State Legal Services Authority, High Court Campus,
Chennai.



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C.KUMARAPPAN, J.

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