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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 10139 of 2026

1.R.Ajithkumar
2.C.Ramu

..Petitioners(s)

Vs

State Rep by The Inspector of Police,
Thanipadi Police Station,
Tiruvannamalai District.
Crime No- 61/2026

..Respondent(s)

Prayer: Criminal Original Petitions filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, Act, 2023 to enlarge the Petitioners on Anticipatory
bail in the event of his arrest in the above Crime No.61/2026 pending on the file
of the respondent police.

For Petitioners(s): Mr.D.Ajay

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

ORDER

The petitioners, who apprehend arrest for the alleged offence **under Sections 21(1) of Mines & Minerals (Development & Regulation) Act, 1957** in **Crime No.61 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 1 unit of river sand in a tractor without any valid permit or licence and that the petitioners were caught red handed by the respondent police. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners were innocents 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 1st petitioner, whereas the 2nd petitioner has got three previous cases. However, he opposed to grant 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. From the submission made by the learned Government Advocate (Criminal Side) it is seen that the 2nd petitioner has got three previous cases and hence **this Court is not inclined to grant anticipatory bail to the 2nd petitioner.** Though, this Court views the offence of theft of natural resources and its exploitation as serious offence, taking into consideration of the fact that 1st petitioner 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 the 1st petitioner on anticipatory bail,** subject to certain conditions.

7. Accordingly, the 1st petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **Learned Judicial Magistrate, Thanipadi,** on condition that the **1st 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 1st 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 1st petitioner is directed to make a non-refundable deposit of Rs.60,000/- [Rupees Sixty 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; 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 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.

8. Accordingly, this Criminal Original Petition is allowed in respect of the 1st petitioner and dismissed in respect of the 2nd petitioner.

22.04.2026

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To

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1. The Judicial Magistrate, Thanipadi
2. The Public Prosecutor,
High Court, Madras.
3. The Inspector of Police,
Thanipadi Police Station,
Tiruvannamalai District.



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C.KUMARAPPAN, J.

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