



WEB COPY



Crl.O.P.No.10250 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.10250 of 2026

1.G.Rajasekar

2.Sabarinathan

... Petitioners

Vs.

The State Rep. by
The Inspector of Police,
Uthukkottai Police station,
Tiruvallur District.
(Crime No.78 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.78 of 2026 pending investigation on the file of the respondent police.

For Petitioners : Mr.S.Deivasigamani

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

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 318(4) of BNS Act, read with 21(1) of Mines and Minerals Act, in



Crl.O.P.No.10250 of 2026

Crime No.78 of 2026 on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that they were involved in the illegal transportation of 28 metric tonnes of sand without any valid permit or licence by using a tipper lorry, and that they were caught red-handed by the respondent police. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and have not committed any offence as alleged by the prosecution and that they have been falsely implicated in this case. He further submitted that the petitioners are ready to co-operate with the investigation. Hence, he prayed for grant of 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 petitioners. However, he opposed the grant anticipatory bail to the petitioners.



CrI.O.P.No.10250 of 2026

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 the totality of the circumstances and the fact that the petitioners have no previous cases, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the learned **District Munsif cum Judicial Magistrate, Utthukottai, Thiruvallur District**, on condition that the each of the petitioners shall execute a separate 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 petitioners fails to surrender before the concerned 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;



Crl.O.P.No.10250 of 2026

(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/accused are directed to make a non-refundable deposit of Rs.1,60,000/- (Rupees One Lakh Sixty Thousand only) to the credit of “Tamilnadu Mediation and Conciliation Centre, High Court, Madras”, 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 petitioners shall report before the respondent police daily at 10.30 a.m. for a period of four weeks, and thereafter, as and when required for interrogation;

(e) 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]***;



WEB COPY



Crl.O.P.No.10250 of 2026

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

22.04.2026

cda

To

- 1.The District Munsif cum Judicial Magistrate,
Utthukottai, Tiruvallur District.
- 2.The Inspector of Police,
Uthukkottai Police station,
Tiruvallur District.
- 3.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.10250 of 2026
C.KUMARAPPAN, J.

cda

Crl.O.P.No.10250 of 2026

22.04.2026