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CRL.OP.No.10424 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL.OP No.10424 of 2026

1.Karigalan

2.Sivachandheran

...Petitioners

Vs.

State Rep.by,
The Inspector of Police,
Melpatti Police Station,
Vellore District.
(Crime No.4 of 2026)

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest pending investigation in Crime No.4 of 2026 on the file of the respondent.

For Petitioner(s):

Mr.T.Muruganantham

For Respondent(s):

Mr.P.Dhileepan,
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence **under Sections 303(2), 326(a) of BNS Act, (379, 430 of IPC), in Crime No.4 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 five bags of sand, each bag containing 20 kgs, on a two wheeler. Hence, the case.

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 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 considered the submissions made by the learned counsel on either side and perused the materials available on record.

6. Taking into consideration of totality of the circumstances and small quantity of the soil involved, 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, Gudiyatham**, 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, Gudiyatham.
2. The Public Prosecutor,
High Court, Madras.
- 3.The Inspector of Police,
Melpatti Police Station,
Vellore District.
(Crime No.4 of 2026)



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C.KUMARAPPAN, J.

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