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CRL OP No. 11692 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-05-2026

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THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CRL OP No. 11692 of 2026

1. Hemanathan
2. Chellappan

..Petitioner(s)

Vs

State by, Inspector of Police,
Valapandal Police Station,
Ranipet District.
Crime No. 51 of 2026

..Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of arrest by the respondent police in Crime. No.51/2026 on the file of the respondent police and thus render justice.

For Petitioner(s): M/s.D.Thirumoorthy

For Respondent(s): Mr.A.Gopinath,
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under *Sections 303(2) and 326(a) of BNS Act, [379 and 430 of IPC] r/w Section 21(1) of Mines & Minerals*



(Development & Regulation) Act, 1957, in Crime No.51 of 2026, on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioners are ranked as Accused Nos.1 and 2 and illegally quarrying and transporting ½ unit of river sand. Hence this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and the petitioners have not committed any offence. He seeks this Court to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. side) appearing for the respondent submitted that the offences committed by the petitioners are serious in nature and no previous case is pending against the petitioners.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on condition that the petitioners shall execute a bond for a sum of ***Rs.10,000/-(Rupees Ten Thousand only)*** with two



sureties each for a like sum to the satisfaction of the *learned District Munsif cum Judicial Magistrate, Arcot*, within a period of fifteen days from the date on which the order made ready and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] **The petitioner shall deposit a sum of Rs.2000/-(Rupees Two Thousand only) non-refundable, to the account of CANCER INSTITUTE (WIA), maintained with Andhra Bank, Madhya Kailash Branch, bearing SB Account No.149710011005477, IFS Code No.ANDB0001497, Branch Code 1497 and MICR No.600011049 and the receipt of such payment shall be produced before the concerned Magistrate at the time of execution of the bond for the purpose of ensuring the identity.**

[c] **the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.**

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned Magistrate/Trial Court himself



as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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To

1. The learned District Munsif cum Judicial Magistrate, Arcot.
2. The Inspector of Police,
Valapandal Police Station,
Ranipet District.
3. The Public Prosecutor,
High Court, Madras.



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L.VICTORIA GOWRI, J.

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