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CRL OP No. 11835 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-05-2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CRL OP No. 11835 of 2026

A.Magibalan
S/o.Arumugam,
Krishnapuram Village,
Polur Taluk,
Tiruvannamalai District.

..Petitioner(s)

Vs

The State rep.by,
The Inspector of Police,
Santhavasal Police Station,
Thiruvannamalai District.
Cr.No.72 of 2026.

..Respondent(s)

CRL OP No. 11835 of 2026

To enlarge the petitioner on bail in the event of his arrest in respect of Cr.No.72 of 2026, on the file of the Inspector of Police, Santhavasal Police Station, Thiruvannamalai District, pending investigation and thus render justice.

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For Petitioner(s): Viswanathan Sb

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



Order

The petitioner apprehends arrest for the alleged offence under Sections 303 (2) and 326 (a) of BNS, 2023 read with Section 21(1) of the Mines and Minerals (development and Regulation)Act, 1957 in Crime No.72 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that on 04.05.2025, the petitioner was illegally transporting one unit of clay sand in a tractor and fled from the scene on seeing the police patrol party, leaving the vehicle unattended. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioner is innocent and he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and he opposed to grant anticipatory bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner submitted that



the petitioner, without prejudice to his defense and contention, is ready and willing to deposit an amount of Rs.2,000/- each to any association. Hence, he prays for grant of bail to the petitioner.

6. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

7. Considering the fact and circumstances of the case and also taking note of the fact that the petitioner has come forward to deposit an amount of Rs.2,000/- to the credit of "Tamil Nadu Advocate Clerk Association, Chennai", this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

8. Accordingly, the petitioners shall pay a sum of Rs.2,000/- (Rupees two Thousand only) each as cost to the **Tamil Nadu Advocate Clerk Association, Chennai** and on such payment, the 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 made ready, before the learned Judicial Magistrate Court, Polur, on condition that the petitioner shall execute a 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 petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter as and when required for interrogation.

(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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

06-05-2026

Index: Yes/No
Speaking/Non-speaking order



Neutral Citation: Yes/No

JRS/bkn

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To

- 1.The Judicial Magistrate Court, Polur
- 2.The Inspector of Police,
Santhavasal Police Station,
Thiruvannamalai District.
Cr.No.72 of 2026.
- 3.The Public Prosecutor, High Court, Madras.



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L.VICTORIA GOWRI J.

JRS

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