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CRL OP No. 11980 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 11980 of 2026

Bharathi

..Petitioner(s)

Vs

The State Rep. by
The Special Sub Inspector of Police
Karuveppilankurichi Police Station,
Cuddalore District.
Cr.No. 9/2026.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, 2023, praying to enlarge the petitioner on bail in the event of his arrest in Cr. No. 9 of 2026 on the file of the respondent police and thus render justice.

For Petitioner(s): Mr.Raji

For Respondent(s): Mr.S.Balaji
Government Advocate (Crl. Side)

ORDER

The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 303(2) and 326(a) of the Bharatiya Nyaya Sanhita (BNS) 2023, read with Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, in connection with Cr. No. 9 of 2026, seeks anticipatory bail.



2. The case of the prosecution is that on 25.01.2026, while the respondent police were out on patrol duty, they intercepted a vehicle and found that it was transporting 2 ½ units of pebbles without any valid permit, license, or clearance documents from the government. In this regard, the respondent police registered the First Information Report against the driver and the individuals connected with the vehicle. Hence, the case.

3. The learned counsel for the petitioner would contend that the petitioner is innocent and has been falsely implicated in this crime. He submits that the petitioner was merely the driver of the vehicle, acting under instructions, and has nothing to do with the ownership or any alleged illegal sourcing of the minerals. He further points out that this is the first anticipatory bail application before this Court and there are no previous cases or criminal antecedents pending against him. Since the petitioner is ready to cooperate fully with the investigation, the learned counsel prays for the grant of anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of anticipatory bail, highlighting the illegal transit of 2 ½ units of pebbles without a valid government permit. He, however, confirms that the petitioner is the driver of the vehicle and verifies from the records that there are no previous cases or adverse antecedents recorded against this petitioner.



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5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, the nature of the offences, and taking note of the fact that the petitioner was operating as the driver of the vehicle, the mineral cargo has already been intercepted, and there is no previous case pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner subject to standard reporting conditions.

7. Accordingly, 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 No.II, Vridhachalam Taluk, Cuddalore District, on condition that the petitioner 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 Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police every Saturday at 10.00 a.m. for a period of four weeks, and thereafter as and when required for investigation.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer;



[c] the petitioner shall not leave India without the previous permission of the Court;

[d] the petitioner shall not abscond either during investigation or trial;

[e] 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 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];

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 BNSS, 2023.

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



To:

- 1.The Judicial Magistrate No.II,
Vridhachalam Taluk,
Cuddalore District.
- 2.The Special Sub Inspector of Police
Karuveppilankurichi Police Station,
Cuddalore District.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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P.DHANABAL, J.

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