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CrI.O.P.No.13399 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2026

CORAM

THE HON'BLE MR. JUSTICE R.SAKTHIVEL

CrI.O.P.No.13399 of 2026

Raja

...Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
Virudhachalam Police Station,
Cuddalore, Tamil Nadu – 606 115.
(Crime No.133 of 2026)

...Respondent/ Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the Petitioner on pre-arrest bail in the event of arrest at the hands of the Respondent Police in Crime No.133 of 2026 pending on the file of Inspector of Police, Virudhachalam, Police Station, Cuddalore.

For Petitioner : Mr.A.Bharani Chandar
For Respondent : Mr.S.Yogaraja Sekar
Government Advocate
(Criminal Side)



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ORDER

WEB COPY This Criminal Original Petition has been filed by the petitioner on 19.05.2026 for the alleged offence under Sections 303(2) and 326 (a) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.133 of 2026, praying to grant an order of pre-arrest bail.

2.The case of prosecution is that on 09.03.2026 at about 4.30 a.m., the Respondent Police was conducting patrol duty, at that time, they noticed Ashok Leyland Tipper Lorry bearing Registration No.TN 48 AB 1155, proceeding in a suspicious manner and it was intercepted for inspection and it was found that the lorry contained 3 units of pebbles. Further, while inspecting the vehicle, there was no valid permit, transit pass, receipt or Government authorization for transporting the said pebbles and prosecution further alleges that the accused had illegally quarried and transported minerals for unlawful gain. Hence, the complaint was registered against the Petitioner.

3.The learned Counsel appearing for Petitioner submits that the Petitioner has not at all committed any offence as alleged by the Respondent Police and he has been falsely implicated in this case and he will abide by any condition that may be imposed by this court. Hence, he prayed to grant an order of pre-arrest bail to the Petitioner.



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4.The learned Government Advocate (Criminal Side) appearing for

Respondent Police submitted that Ashok Leyland Tipper Lorry bearing Registration No.TN48-AB-1155, had no valid permit, transit pass, receipt or Government authorization for transporting the said pebbles. He further submitted that the accused had illegally quarried and transported minerals for unlawful gain. Hence, he opposed to grant pre-arrest bail to the Petitioner.

5.The vehicle bearing Registration No.TN48-AB-1155 and the minerals (3-Units Pebbles) were seized. Hence, this Court is of the view that custodial interrogation of the petitioner may not be required for the respondent – police. Therefore, this Court is inclined to grant pre-arrest bail to the Petitioner subject to the following conditions:

(i) The Petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the Judicial Magistrate, No.1 Virudhachalam within a period of 15 days from today, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate, No.1 Virudhachalam;

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(ii) The Petitioner shall appear and sign before the Respondent-Police, on everyday at 10.00 a.m., until further orders;

(iii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate, No.1 Virudhachalam shall obtain a copy of any one of their identity proofs to ensure their identity;

(iv) The Petitioner shall furnish his residence address and mobile number to the learned Judicial Magistrate, No.1 Virudhachalam.

(v) The Petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, No.1 Virudhachalam is entitled to pass appropriate orders against the Petitioner in accordance with law as if the



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aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

6. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

22.05.2026

Index : Yes/No
Internet : Yes/No
Neutral citation : Yes/No
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Note:-

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R.SAKTHIVEL. J.

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To

- 1.The Judicial Magistrate, No.1
Virudhachalam.
- 2.The Inspector of Police,
Virudhachalam Police Station,
Cuddalore, Tamil Nadu – 606 115.
- 3.The Public Prosecutor,
High Court of Madras.

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