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CRL OP No. 12266 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 14-05-2026**

CORAM

**THE HON'BLE MR.JUSTICE P. DHANABAL**

**CRL OP No. 12266 of 2026**

1.Arjunan  
S/o.Pazhanimuthu

2.Arumugam  
S/o.Pichaikaran

..Petitioner(s)

Vs

The State Rep by its  
The Inspector of Police,  
Ulundurpet Police Station,  
Kallakurichi District.  
Crime No. 449 /2025

..Respondent(s)

**Prayer:** Criminal Original Petition filed under Section 482 of BNSS, seeking to enlarge the petitioner on bail in the event of his arrest in Cr. No.449 of 2025 on the file of the respondent police.

For Petitioner(s): Ms.R.Poornima

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

### **ORDER**

The petitioners apprehend arrest for the alleged offence punishable under Sections 303 (2) of BNS, 2023, read with Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.449 of 2025 on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution is that the petitioners are alleged to have transported 3 units of river sand in two lorries illegally. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they were not committed any offence as alleged by the prosecution and they had been falsely implicated in this case. He submitted that there is no previous case as against the petitioners. Hence, he prays to grant anticipatory bail to the petitioners. He further submitted that the petitioners are ready and willing to furnish substantial sureties for their due release and to abide by any conditions that may be imposed by this Hon'ble Court and therefore, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioners by stating that the quantity of river sand involved is three units and investigation is at initial stage. He would submit that there is one previous case against the first petitioner.

5. Heard the learned counsel on either side and perused the materials available on record.



6. Considering the representations made on both sides and considering the nature of the offence and the quantity of material involved in this case and there is no previous case pending against the second petitioner and though there is one previous case against the first petitioner, he was released on bail, this Court is inclined to grant **anticipatory bail** to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.1, Ulundurpet**, 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 respondent Police or the Police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent police every Saturday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;



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[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

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

[e] the petitioners shall not leave India without the prior permission of the Court.

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

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S. 2023.

**14-05-2026**

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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1. The Inspector of Police,  
Ulundurpet Police Station,  
Kallakurichi District.  
Crime No. 449 /2025

2. The Judicial Magistrate No.1, Ulundurpet.

3. The Public Prosecutor,  
High Court, Madras.



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**P.DHANABAL, J.**

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