



Crl.O.P.No.12058 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.05.2026

CORAM

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

Crl.O.P.No.12058 of 2026

Mohammed Zuber

... Petitioner

Vs.

State, represented by  
Inspector of Police,  
Kundadam Police Station,  
Tiruppur District.  
(Crime No.118 of 2026)

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 482 of BNSS, pleaded to enlarge the petitioner on bail in the event of his arrest in connection with Crime Number 118 of 2026 on the file of the respondent Police.

For Petitioner : Mr.K.Sudhakar

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



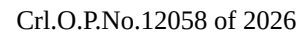
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## **ORDER**

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The petitioner / accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303 (2) of the BNS, 2023 and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in connection with the Cr. No.118 of 2026 seek anticipatory bail.

2. On 06.05.2026, the respondent police received secret information regarding the illegal transportation of minerals. Acting upon the said information, the respondent police along with their officials proceeded to Venugopal Thottam at about 6.00 p.m. There, they found the accused persons excavating gravel sand from Venugopal Thottam using a JCB machine and loading the same into a lorry bearing Registration No. TN 56 2143 for transportation. It is alleged that about three units of gravel sand were illegally quarried and transported. When the police intercepted the vehicle, they apprehended three persons and conducted an enquiry. During the enquiry, the said persons disclosed their identities and addresses and stated that they were working as drivers under the petitioner/accused. Hence, the present case has been registered against the accused.



4. The learned Government Advocate (Criminal Side) submitted that, on the date of the alleged occurrence, while the respondent police along with the police party were conducting a routine vehicle check, they intercepted a lorry in which three persons were found illegally transporting gravel sand. He further submitted that, during the course of investigation, it was revealed that the accused had transported the sand without obtaining any valid permission. He also submitted that the petitioner is the owner of the said lorry and that no previous case is pending against the petitioner. However, the learned Government Advocate strongly opposed the grant of anticipatory bail to the petitioner.

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6. Considering the nature of offences and that the quantity of material involved in this case and the fact that no previous cases are pending against petitioner, and also considering all other factors, I am inclined to grant anticipatory bail to the petitioner subject to the following 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 (15) days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Dharapuram** 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, **on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.**

[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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence;



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[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 B.N.S.2023.

**13.05.2026**

rkp/lpp

**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 official website of this Court will be watermarked and will also have a QR code.



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**P.DHANABAL, J.**

rkp/lpp

To

1. The Judicial Magistrate,  
Dharapuram
2. The Inspector of Police,  
Kundadam Police Station,  
Tiruppur District.
3. The Public Prosecutor,  
High Court, Madras.

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