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CRL OP No. 12471 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. 12471 of 2026**

1. Ajithkumar  
S/o Sampath,  
55, Perumal Koil Street,  
Cheyyar Taluk, Anakkavoor.  
Tiruvannamalai District- 604401.

2. Bharathi  
210, Kulakkarai Street, Muthialpet,  
Kottaram, Nagercoil,  
Tamil Nadu 629002.

..Petitioner(s)

Vs

State represented by  
The Sub-Inspector of Police,  
Annakavoor Police Station,  
Crime No. 29/2026.

..Respondent(s)

**Prayer:**

Criminal Original Petition filed under Section 482 of BNSS to grant anticipatory bail to the petitioner in the event of the arrest of petitioner by police for the reasons stated in the petition, in connection with the case in Crime No.29 of 2026 on the file of the respondent police and pass such further or other orders as may be deemed fit and proper by this Honble court in these circumstances of this case and thus render justice.

For Petitioner(s): Mr.A.Anbharasu

For Respondent(s): Mr.S.Balaji, GA (Crl.side)



## ORDER

The petitioners / Accused, who apprehend arrest in the hands of the respondent police for the offences punishable under Section 303(2) & 326(a) of BNS and Section 21(5) of Mines and Minerals (Development & Regulation) Act, 1957, in connection with the Cr. No.29 of 2026, seek anticipatory bail.

2. The case of the prosecution is that while patrolling within the limits of the respondent-police, they found the co-accused, being the driver of the lorry bearing Registration No.TN 22 CU 7250 had used the Backhoe Loader bearing Registration No.TN 59 BZ 7229 for transportation of 2 unit of brick sand without any permit.

3. Learned counsel for the petitioner would contend that the petitioner is innocent and falsely implicated in this case solely based on the confession of the co-accused. Further, he would submit that the petitioners have no previous case pending against them. Hence prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), reiterated the prosecution case and on instructions, would submit that the respondent police seized the brick sand and the vehicle and the petitioners have no previous case. He would also submit that the petitioners are driver and owner of the JCB.



5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent-police and perused the materials available on record.

6. Considering the rival submissions and nature of offences, it appears that the petitioners were implicated in the FIR solely based on the confession of the co-accused. Even according to the prosecution, the petitioners are only driver and owner of the JCB. Further, by considering the fact that there is no previous case pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate Cheyyar**, on condition that each of 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 learned Magistrate concerned and on further condition that:

**[a] the petitioners shall report before the respondent police every Saturday for a period of 4 weeks and thereafter as and when required;**



[b] the petitioners 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 petitioners shall not leave India without the previous permission of the Court;

[d] the petitioners 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 petitioners 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.

**14-05-2026**

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

nsa/rst

**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,  
Cheyyar
2. The Sub-Inspector of Police  
Annakavoor Police Station
3. The Public Prosecutor,  
High Court, Madras.



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**P.DHANABAL J.**

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