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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl. O.P. No.12486 of 2026

1. Chandhru
S/o.Umasankar,
2. Siva @ Sivakumar
S/o.Ramamoorthy,
3. Mukesh
S/o.Teekaraman,

..Petitioner(s)

Vs

State Rep. By
The Inspector of Police
Sathuvacheri Police Station,
Vellore District, Tamil Nadu.
(Crime No.4/2026)

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 438 of Criminal Procedure Code praying to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.04/2026 on the file of the respondent.

For Petitioner(s): Mr.G.Nirmal Krishnan

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

ORDER

The petitioners apprehend arrest in the hands of the respondent police for the offences punishable under Sections 303(2), 326 of BNSS, 2023 in respect of Crime No.4 of 2026, seek anticipatory bail.



2. The case of the prosecution is that on 14.01.2026, the de-facto complainant namely one Mr.Muthu Krishnan, SSI of Police, Sathuvacheri Police Station, lodged a complaint alleging that the petitioners had illegally transported 2 units of Palaru river sand in a tractor tipper. Hence the case.

3. The learned counsel for the petitioners would contend that the material objects have been seized; that the custodial interrogation is not required in this case, the petitioners have been falsely implicated in this case and hence prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side), per contra, would submit that an FIR has been registered as against the petitioners and other accused persons on 14.01.2026. He further submitted that the 1st petitioner has eight (8) previous cases of similar nature and has been granted bail in all cases. He would further submit that the 2nd and 3rd petitioners have no previous case. Hence, he strongly opposed to grant bail to the petitioner.

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

6. Considering the rival submissions made by the learned counsel on



either side, the quantity of material involved and the 1st petitioner has eight previous cases and has been granted bail in all cases and the other two petitioners have no previous case and also in view of the fact that FIR has been registered on 14.01.2026 and by this time the investigation would have been completed, this Court is inclined to grant anticipatory bail to the petitioner 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 learned **Judicial Magistrate-V at Vellore District**, on condition that the petitioners shall execute a separate bond each 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 on every Saturday at 10.00 a.m for a period of four weeks and thereafter as and when required for interrogation.

[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 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];

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

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MKA/SHA

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-V,
Vellore District,
Vellore.
- 2.The Inspector of Police
Sathuvacheri Police Station,
Vellore District, Tamil Nadu.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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P.DHANABAL J.

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