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CRL OP No. 12775 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. 12775 of 2026

1. R. Perumal
S/o.Rajamanickam,
No.60/3, Puttamanai Malangkadu,
Veerappampalayam,
Devannagoundanur,
Salem-637 301.
2. N. Ananthan
S/o.Nadesan, D.No.67, A 14,
Chinnamanali Kilakku Theru,
Edappadi,
Salem-637 101.

..Petitioner(s)

Vs

The State by Inspector of Police
Sankari Police Station,
Salem District.
Crime No.166 of 2026.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., 2023, to enlarge the petitioners on bail in the event of their arrest by the respondent police in Cr.No.166 of 2026 pending investigation on the file of the Inspector of Police, Sankari Police Station, Salem District.



For Petitioner(s): Mr.A. Saravanan

For Respondent(s): Mr.A.Gopinath

Government Advocate (Crl.Side)

ORDER

The petitioners/A1 and A2, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 303(2) of B.N.S. 2023 and 21(1)(4) of Mines and Minerals (Development & Regulation) Act, 1957 in connection with the case in Crime No.166 of 2026, seek anticipatory bail.

2. The case of the prosecution is that the petitioners were found to be in possession of 3 units of sand in a Tipper lorry bearing Registration No.TN-48-H-9645. Hence, the case.

3. The learned counsel for the petitioners submits that the petitioners are innocent and they have not committed any such offence as alleged by the prosecution and they have falsely implicated in this case. He further submitted that the material objects have been seized and the custodial interrogation for the



petitioners is not required in this case and hence prayed to grant anticipatory bail to the petitioners.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and further submitted that, apart from this case, the 1st petitioner has one previous case and the second petitioner has no other previous case and the soil and vehicle were seized. However, he vehemently opposed to grant anticipatory 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, nature of offences and the nature and quantity of minerals involved in this case, though the 1st petitioner is having one previous case, in that case bail was granted to him and the 2nd petitioner is not having any previous case, 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 of receipt of a copy of this order, before the learned **Judicial Magistrate-I, Sankari** on condition that each of the petitioners shall execute separate bonds 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 on every Saturday at 10.00 a.m., for a period of four weeks and thereafter as and when required for interrogation.**

[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] 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 B.N.S.

14.05.2026

Vv

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-I, Sankari**
- 2 The Inspector of Police,
Sankari Police Station, Salem District.
- 3.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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