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CRL OP No. 12773 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. 12773 of 2026

K.Mathesh, S/o.Kulanthai Goundar,
D.No.5/3314, Vannaparaikadu,
Veerappampalayam Post,
Devanakavandanur, Sankari Taluk,
Salem-637301.

..Petitioner(s)

Vs

The State by Inspector of Police
Sankari Police Station,
Salem District.
Crime No.170 of 2026.

..Respondent(s)

Prayer: This Criminal Original petition is filed to enlarge the Petitioner on bail in the event of his arrest by the respondent police in Crime No. 170 of 2026 pending investigation on the file of respondent police.

For Petitioner(s): Mr. A.Saravanan

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

ORDER

The petitioner, who apprehends arrest in the hands of the respondent police for the offences punishable under Section 21(1), (4) of Mines and Minerals Act and Section 303 (2) of BNS ,2023 in connection with the case in Crime No.170 of 2026, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner was found to be in possession of three units of ordinary stones in a vehicle bearing Registration No.TN 88 J 8707.

3. The learned counsel for the petitioner would contend that the material objects have been seized; the petitioner has not committed any such offence as alleged by the prosecution and that the custodial interrogation is not required in this case and hence prayed to grant anticipatory bail to the petitioner.

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 petitioner has no other previous case and the ordinary stones and vehicle were seized. However, he vehemently opposed to grant anticipatory bail to the petitioner.

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, nature of offence and the nature and quantity of minerals involved in this case and there is no previous cases



against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

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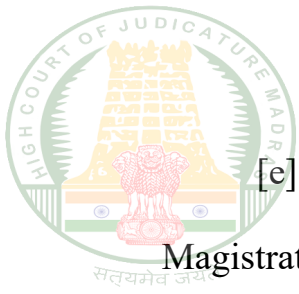
7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.1, Sankari** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties each for a like sum to the satisfaction of the 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 petitioner 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 petitioner 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.**

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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.

14.05.2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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 No.1, Sankari
2. The Inspector of Police,
Sankari Police Station,
Sankari District.
3. The Public Prosecutor, Madras High Court.



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