



Crl.OP.No.12840 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12840 of 2026

Prakash
S/o. Parasuraman
No.719, Bajanai Kovil Street,
Mottur Village, Thatchur Post,
Arani Taluk,
Tiruvannamalai District

..Petitioner(s)

Vs

The State Rep. by its Inspector of Police
Arni Taluk Police Station,
Tiruvannamalai District.
(Crime No. 106 /2026)

..Respondent(s)

To enlarge the petitioner on bail in the event of arrest in Crime
No. 106 of 2026 on the file of the respondent police station and thus render
justice.

For Petitioner(s): E.Sathiyaraj Elangovan
S.Elvin Niha

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



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ORDER

The petitioner, who apprehends arrest in the hands of the respondent Police, for the alleged offence punishable under Sections 303(2), 326(a) of BNS Act r/w Section 21(1) of MMDR Act in Crime No.106 of 2026, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 08.03.2026, when the respondent police patrolling Marusur Village, the petitioner was found to be illegally transporting 1/4 unit of sand in a bullock cart.

3. The learned counsel for the petitioner would contend that the petitioner has been falsely implicated in this case; that the sand and the bullock cart was seized by the respondent police; 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 case of the prosecution and on instructions, submitted that the soil and the bullock cart was seized and apart from this

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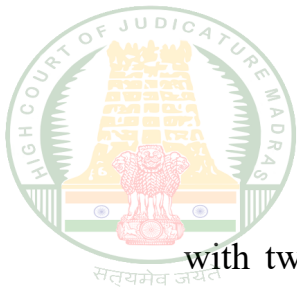
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case, the petitioner has got three previous cases and hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

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

6. Considering the rival submissions made by the learned counsel appearing on either side, nature of offence and the quantity of mineral involved in this case and the fact that the respondent police seized the sand and the bullock cart and though there are three previous case pending against the petitioner, they are not similar kind of offences and bail was granted to him, this Court is inclined to grant anticipatory bail to the petitioner on certain 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 days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Arni, Tiruvannamalai District** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**,



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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:

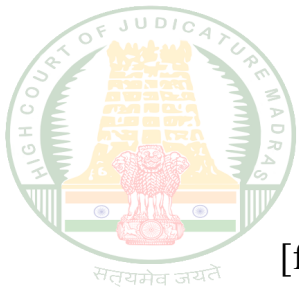
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police **on every Saturday at 10.00 a.m., for a period of four weeks and thereafter, as and when required for interrogation.**

[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]**.



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[f] If the accused thereafter abscond, a fresh FIR can be registered

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under Section 269 B.N.S.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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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 Inspector of Police,
Arni Taluk Police Station,
Tiruvannamalai District.

2.The Judicial Magistrate,
Arni, Tiruvannamalai District.

3.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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