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CRL OP No.12716 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.12716 of 2026

1. K.Saravanan
S/o Krishnan,
Arunthathiyar colony,
Sathkar, Sathgudi post,
Gudiyatham,
Vellore District.
2. Y Anishkumar
No.2 Udayar Street, Sathgar Pernampet Post,
Guidyatham, Vellore District

..Petitioners

Vs

State represented by the Inspector of Police,
Pernampet Police Station,
Vellore District
Cr.No.76 of 2026

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on anticipatory bail in the event of their arrest pending investigation in Cr.No.76/2026 on the file of the respondent police.

For Petitioners : Mr.A.Vijayakumar

For Respondent: Mr.A.Gopinath
Government Advocate (Criminal Side)



ORDER

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The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 303(2) and 326(a) of BNS Act, in Crime No.76 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, petitioners alleged to have transported totally one unit of river sand in four bullock carts, illegally. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they were not committed any offence as alleged by the prosecution and they had been falsely implicated in this case. He submitted that there is no previous case as against the petitioners. Hence, they pray to grant anticipatory bail to the petitioners. He further submitted that the petitioners are ready and willing to furnish substantial sureties for their due release and to abide by any conditions that may be imposed by this Hon'ble Court and therefore, they prayed to grant anticipatory bail to the petitioners.



4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioners by stating that the quantity of river sand involved is 1 unit, investigation is pending and the offences are grave in nature.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side and the nature of offence, quantity of sand involved in this case, and further taking note of the fact that no previous case is pending against the petitioner, this Court is inclined to grant **anticipatory bail** to the petitioners with 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, Gudiyatham** on condition that 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 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 every Saturday at 10.30 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] the petitioners shall not leave India without the prior permission of the Court.

[f] 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];

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S. 2023.

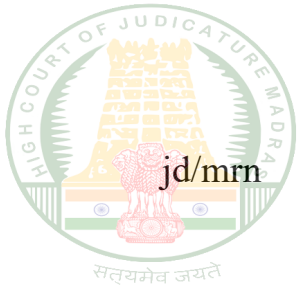
8. Accordingly, this Criminal Original Petition is ordered.

14-05-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No



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To

1. Judicial Magistrate, Gudiyatham

2. The Inspector of Police
Pernampet Police Station,
Vellore District,
Cr.No.76 of 2026.

3. The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

jd/mrn

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