



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 12849 of 2026

1. Arul
S/o.Boopathi,
Residing at
No.4/80, Velakalnatham village Post,
Thirupathur District
2. Boopathi
S/o.Kannupaiyan,
Both are residing at
No.4/80, Velakalnatham village Post,
Thirupathur District

..Petitioners/Accused
No.1 & 2

Vs

State rep by The Inspector of Police
Natrampalli Police Station,
Natrampalli, Tirupathur District.
(Crime No. 190 of 2026)

..Respondent/
Complainant

PRAYER :- Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the petitioners on bail in the event of their arrest in crime No. 190 of 2026 on the file of the Inspector of Police, Natrampalli Police Station, Natrampalli, Tirupathur District .

For Petitioners: Mr.G.Vinodh KUMar

For Respondent: Mr. V.Meganathan,
Government Advocate (criminal side)

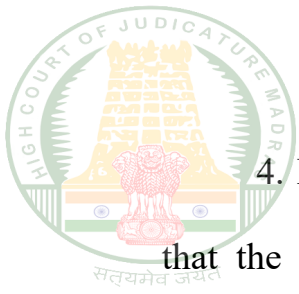
**ORDER :**

WEB COPY The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 11.05.2026 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent-police for the offences punishable under Sections 326(a), 303(2) of BNS Act, 2023, read with 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.190 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that, on April 13, 2026, at approximately 1.30 pm, a police team led by Special Sub Inspector Ramamoorthy intercepted a Tipper Lorry, bearing Registration No. TN. 28 BM 6248 , during a routine vehicle check near the Komitiyur Indian Oil Petrol Bunk. Upon noticing the police, the driver (A-1) abandoned the vehicle and fled the scene. A subsequent inspection of the lorry revealed that it was illegally transporting approximately 3 units of river sand without a valid permit. Further investigation identified that the 2nd Petitioner as the owner of the vehicle, resulting in the registration of the present criminal case against both petitioners for illegal sand transportation. Hence, the case.

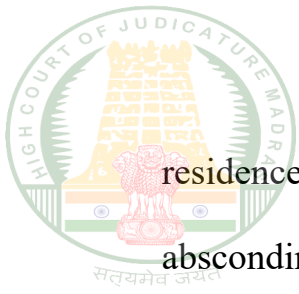


4. Mr.G.Vinodh K Umar, the learned counsel for the petitioners, submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that the second Petitioner as the owner of the vehicle. He however submits that the petitioners are ready to abide any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioners.

5. *Per contra*, Mr. V.Meganathan, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the accused persons were illegally transporting 3 units of river sand by using the second Petitioner's vehicle. He further submits that there is no previous cases against the petitioners. He further submits that the investigation of the case is still pending and therefore, at this stage, if the pre-arrest bail is granted to the petitioners, he will commit similar type of offence and cause loss to wealth of the nation. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. Considering the fact that the second Petitioner's vehicle along with allegedly transported river sand of 3 units has already been seized by the respondent-police, this Court is of the view that the custodial interrogation of the petitioners are not necessary. Further, the petitioners have permanent

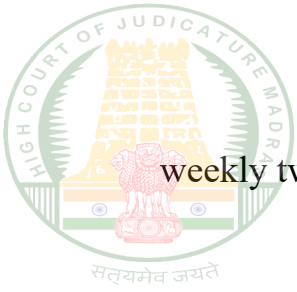


residence and deep roots in the society. Hence, there is less possibility of absconding. Considering the same and also considering the facts and circumstances of the case, the nature of the offence, the quantity of river sand allegedly transported by the accused persons and with a view to give an opportunity to the petitioners to reform themselves, this Court is inclined to grant pre-arrest bail to the petitioners. Accordingly, pre-arrest bail is granted to the petitioners subject to the following conditions:

(i) The petitioners shall be released on pre-arrest bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate No.III, Thirupathur, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate No.III, Thirupathur.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate No.III, Thirupathur, shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioners shall appear and sign before the Respondent / police,



weekly twice on every Monday and Friday at 10.00 a.m. until further orders.

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(iv) The petitioners shall make them-self available for interrogation by a police officer as and when required.

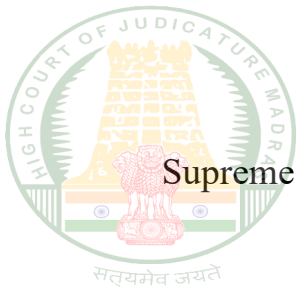
(v) The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.

(vi) The petitioners shall also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(vii) The petitioners shall not leave India without prior permission of the Court.

(viii) The petitioners shall furnish their residential address and mobile numbers to the concerned Magistrate.

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.III, Thirupathur or Trial Court, is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble



Supreme Court in *P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283]*.

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8. Accordingly, this Criminal Original Petition is **allowed** subject to the conditions stated *supra*.

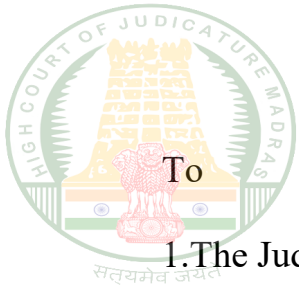
20-05-2026
(RSVJ)

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

JRS/RPP

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 official website of this Court will be watermarked and will also have a QR code.



To

1.The Judicial Magistrate No.III, Thirupathur.

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2.The The Inspector of Police
Natrampalli Police Station,
Natrampalli, Tirupathur District.
(Crime No. 190 of 2026)

3.The Additional Public Prosecutor,
Madras High Court.



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R.SAKTHIVEL, J.

JRS/RPP

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