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CRL OP No. 12693 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. 12693 of 2026

Suresh
S/o. Lakshmanan,
residing at Kuditheru,
Kangiyanur,Pannapatti,
Salem District.

..Petitioner(s)

Vs

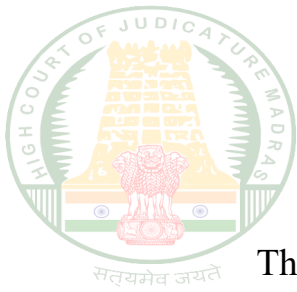
The Inspector of Police,
Deevattipatty Police Station,
Salem District (Crime No. 166 of 2026).

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., 2023 to be enlarged on anticipatory bail in the event of his arrest in Crime No. 166 of 2025 on the file of the Inspector of Police, Deevattipatty Police Station, Salem District, and thus render justice.

For Petitioner(s): Mr.Tamilselvan A

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



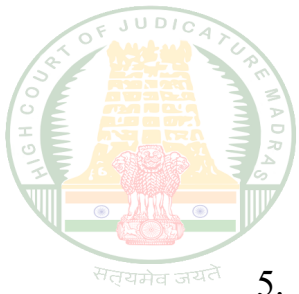
ORDER

The petitioner /Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections Section 21(1) of Mines and Minerals Act, r/w 303(2) of B.N.S. in connection with the case in Crime No.166 of 2026, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had illegally transported 3 units of Red sand in a Tipper lorry bearing Regn.Nos.TN-32-AX-3060, TN-91,F-5034 and TN-38-BS-7657. Hence, the case.

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 soil and vehicle were seized. However, he vehemently opposed to grant anticipatory bail to the petitioner.

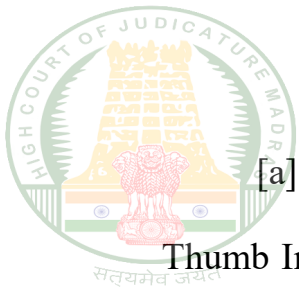


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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

6. Considering the rival submissions, nature of offences and the nature and quantity of minerals involved in this case, no previous case is pending against the petitioner and considering all other factors, 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, Omalur, Salem District*** 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 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].

[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, Omalur, Salem District
- 2 The Inspector of Police, Deevattipatty Police Station, Salem District.
- 3.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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