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CRL OP No. 12913 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. 12913 of 2026

1. Kaviyarasan
S/o. Kasi
No.OI, Kovil Street, Pudhur, Chengam Taluk,
Tiruvannamalai District-606 705.
2. Maheswaran
S/o.Mahalingam,
No.32/3, Pillaiyar Kovil Street,
Pudhur, Chengam Taluk,
Tiruvannamalai District-606 705.

..Petitioner(s)

Vs

The State Rep by
The Inspector of Police
Pudupalayam Police Station,
Tiruvannamalai District
(Crime No.47 of 2026)

..Respondent(s)

PRAYER : To enlarge the petitioner on Anticipatory Bail in the event of his arrest Crime No 47 of 2026 on the file of the respondent Police, and thus render justice.

For Petitioner(s): Mr.R.Varun Vignesh

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



ORDER

The petitioners, who apprehends arrest in the hands of the respondent police for the offences punishable under Section 303(2), 326(a) of B.N.S. and Section 21(5) of the Mines and Minerals (Development and Regulation) Act, 1957 in connection with the case in Crime No.47 of 2026, seek anticipatory bail.

2. The case of the prosecution is that the petitioners transported 1/4 Unit of River Sand without any valid license and permit in a Tractor bearing Registration No. TN 25 P 6286. Hence the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case and that the custodial interrogation is not required in this case and hence prayed to grant anticipatory bail to the petitioners.

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 petitioners have no other previous cases and the river sand and tractor were seized.



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 nature of allegations and considering the quantity and the nature of minerals involved in this case, the fact that the petitioners have no other previous cases, this Court is inclined to grant 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, Chengam** 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.

[c] the petitioners shall report before the respondent police daily at



10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[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.

14-05-2026

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

MTL/SSB



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Note :

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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, Chengam.
- 2.The Inspector of Police
Pudupalayam Police Station,
Tiruvannamalai District
(Crime No.47 of 2026)
- 3.The Public Prosecutor, High Court, Madras.



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P.DHANABAL, J.

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