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Crl.OP.No.12908 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12908 of 2026

1. A Kumaresan, M/35 years,
S/o Asaikannu,
Natham,
Kuvagam Village,
Ullundurpet Taluk,
Kallakurichi District.
2. Divagar, M/29 years,
s/o Mahalingam,
No. 2/232, Agrahara Street,
Maragathapuram,
Villupuram - 605401.

..Petitioner(s)

Vs

State Rep by Inspector of Police
Villupuram Taluk Police Station,
Villupuram District.
(Crime No. 216 of 2026)

..Respondent(s)

PRAYER: To enlarge the petitioners on anticipatory bail in the event of the arrest pending investigation in Crime No. 216 of 2026 on the file of respondent police and thus render justice.



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For Petitioner(s): Saravanabhavan G
A.Santhanakrishnan

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

ORDER

The petitioners, who apprehends arrest in the hands of the respondent Police, for the alleged offence punishable under Sections 303(2) of BNS Act r/w Section 21(1) of MMDR Act in Crime No.216 of 2026, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 02.05.2026, the petitioners have illegally transported three units of gravel sand without valid permit in a vehicle.

3. The learned counsel for the petitioners would contend that the first petitioner is the driver and the second petitioner is the owner of the vehicle; that the petitioners have been falsely implicated in this case; that sand and vehicle were 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 petitioners.



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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 vehicle were seized and apart from this case, the petitioners have got no previous case.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) 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 minerals involved in this case and the fact that the respondent police seized the vehicle and there is no previous case pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners on 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 I, Villupuram** on condition that the petitioners shall execute a bond for a



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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 **on every Saturday at 10.00 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] 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]**.



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[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

AY

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,
Villupuram Taluk Police Station,
Villupuram District.

2.The Judicial Magistrate Court -1,
Villupuram.

3.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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