



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13214 of 2026

1. K. Ashok Kumar
S/o. V.Krishnan,
Residing at No. 76, Amman Nagar 1st Street,
Thiruverkadu, Ayapakkam,
Chennai-600 077.

2. B.Baskar,
S/o. Balaraman,
Residing at No.2/165, Gandhi Street,
Sikkarayapuram, Kancheepuram District.

..Petitioners/Accused 1 & 2

Vs

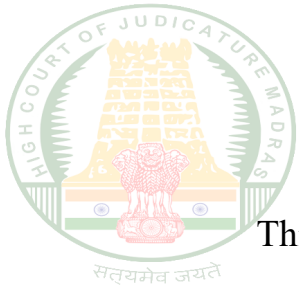
The State Rep. By
Inspector of Police,
Thiruvalangadu Police Station,
Tiruvallur District.
(Crime No. 61 of 2026)

..Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime No.61 of 2026 pending on the file of the Respondent Police.

For Petitioners: Mr.S.Sathish Rajan

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



ORDER

This Criminal Original Petition has been filed by the petitioners on 18.05.2026 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 318(1) and 303(2) of BNS, 2023, and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.61 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that when the respondent police intercepted an Ashok Leyland lorry, bearing registration No. TN-12-BM-4768 owned by the first petitioner and driven by the second petitioner, the second petitioner was found to be transporting four units of gravel sand without proper permission, after which he allegedly escaped from the scene of occurrence. The first petitioner is the owner of the said lorry; hence, the case.

4. Mr.S.Sathish Rajan, 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 first petitioner is 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.

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5. *Per contra*, Mr.A.Gopinath, the learned Government Advocate (Criminal Side) appearing for the respondent-police submits that there are a total of two accused persons in this case. He further submits that the petitioners were caught illegally transporting four units of gravel sand. However, he submits that there is no previous case pending against the petitioners. Accordingly, he prays for the dismissal of this Criminal Original Petition.

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

7. Considering the fact that the first petitioner vehicle along with allegedly transported Gravel sand has already been seized by the respondent-police, this Court is of the view that the custodial interrogation of the petitioners is 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 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, Tiruttani, Tiruvallur District, 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.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate, Tiruttani, Tiruvallur District.

(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 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 every Monday and Friday at 10:00 a.m. until further orders.

(iv) The petitioners shall make themselves 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.

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

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

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Judge, as the case may be, 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]***.

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

21-05-2026

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

NSL/SHL



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 Inspector of Police,
Thiruvallangadu Police Station,
Tiruvallur District.

2. The Public Prosecutor,
High Court of Madras.

3. The Judicial Magistrate, Tiruttani, Tiruvallur District.



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CRL OP No. 13214 of 2



R.SAKTHIVEL, J.

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CRL OP No. 13214 of 2026

21-05-2026