



Crl.O.P.No.13497 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2026

CORAM:

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

Crl.O.P.No.13497 of 2026

1. Suresh
S/o. Elumalai,
No.3-247, New Colony,
Kollur, Arakandanallur,
Villupuram District.
2. Sabapathi
S/o. Moorthi
V-O-C Street, Andili,
Arakandanallur,
Villupuram District.
3. Amulraj
S/o. Poongan,
V-O-C Street, Andili,
Arakandanallur,
Villupuram District.
4. Stalin
S/o. Poongan,
V-O-C Street, Andili,
Arakandanallur,
Villupuram District.

... Petitioners / Accused

Versus

State rep. by
The Inspector of Police,
Arakandanallur Police Station,
Villupuram District.
(Crime No. 180/2026)

... Respondent/Complainant



Crl.O.P.No.13497 of 2026

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioners on bail in the event of their arrest in Crime No.180 of 2026 on the file of the respondent police.

For Petitioners : Mr.E.Iyappan
For Respondent : Mr.C.R.Malarvannan
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioners on 19.05.2026 under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to grant an order of pre-arrest bail.

2. The petitioners / Accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 303 (2), 326 (a) of Bharatiya Nyaya Sanhita, r/w. Section 21 (1) of Mines and Minerals Act in Crime No. 180/2026 on the file of the respondent police.

3. The case of the prosecution is that the petitioners transported ½ unit of river sand in a bullock cart without any valid permission. Hence the case.

4. The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution; and that the



CrI.O.P.No.13497 of 2026

respondent-police registered the case only for statistical purpose. He further submitted that they are ready to obey the condition if any imposed by this Court.

Accordingly, he prayed to grant an order of pre-arrest bail to the petitioners.

5.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner excavated and transported ½ unit of river sand in a Bullock Cart; and that the first petitioner has six previous cases similar to that of this case, the second petitioner has two previous cases and third and fourth petitioners have no previous case. Accordingly, he prayed to dismiss this Criminal Original Petition.

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

7. Considering the quantity of river sand allegedly excavated and transported by the petitioners, this Court grants an order of pre-arrest bail to the petitioners subject to the following conditions:

(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned **Judicial Magistrate cum District Munsif, Tiruvennainallur**, within a period of 15 days from today, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with



two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned **Judicial Magistrate cum District Munsif, Tiruvennainallur;**

(ii) The petitioners shall appear and sign before respondent Police, **weekly twice ie., on Monday and Friday at 10.00 a.m.,** until further orders;

(iii) 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 cum District Munsif, Tiruvennainallur shall obtain a copy of any one of their identity proofs to ensure their identity;

(iv) **The first petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand Only) and the second petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand Only) as donations to the Tamil Nadu Advocate Clerk Association, Chennai (Account No.484026006, Indian Bank High Court Branch, IFSC NO.IDIB000M157).**

(v) The petitioners shall make themselves available for interrogation by police as and when required;

(vi) 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;

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



Crl.O.P.No.13497 of 2026

the Jurisdictional Judicial Magistrate cum District Munsif,
Tiruvannainallur/Trial Court; and

WEB COPY

(viii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate cum District Munsif, Tiruvannainallur/Trial Judge is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) 13 SCC 5560]*.

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

22.05.2026

Index : Yes/No
Internet : Yes/No
Neutral citation : Yes/No
dh/rsi

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.



Crl.O.P.No.13497 of 2026

WEB COPY

To

1. The Judicial Magistrate cum District Munsif,
Tiruvannainallur.

2. The Inspector of Police,
Arakandanallur Police Station,
Villupuram District.

3. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.13497 of 2026

R.SAKTHIVEL, J.

dh/rsi

Crl.O.P.No.13497 of 2026

22.05.2026