



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 27-05-2026**

CORAM

WEB COPY

**THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ**

**CRL OP No. 13766 of 2026**

1. M Akash  
S/o. Mariyappan Kattari  
No. 52 / 1, Keezha Colony,  
Kuthalam,  
Nagapattinam 609 801.
2. V Karthik Kumar  
S/o. Vellingiri,  
No. 5 / 57, Iyyapanayakan Palayam,  
Alathur, Tiruppur 641 655

..Petitioner(s)

Vs

The State Rep by The Inspector of Police  
Annur Police Station,  
Coimbatore District  
(Crime No 268 of 2026)

..Respondent(s)

**PRAYER :-** Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant anticipatory bail to the Petitioners in the event of their arrest, pending investigation in Crime No. 268 of 2026 on the file of the respondent police.

For Petitioner(s): Mr.Dinesh Kumar P

For Respondent(s): Mr.S.Yogaraja Sekar,  
Counsel for Government of Tamil Nadu  
(Criminal Side)



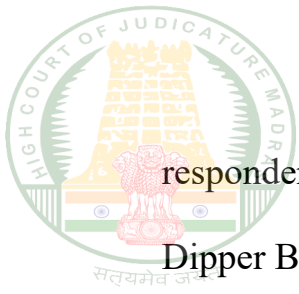
## **ORDER**

WEB COPY

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 303(2) of Bharatiya Nagarik Sanhita, 2023 and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No. 268 of 2026 on the file of the respondent Police, seeks anticipatory bail.

2. The learned counsel for the petitioners, pleading innocence on the part of the petitioners and false implication in the case, seeks indulgence of this Court. He submits that the petitioners are an innocent person and they have not committed any offence as alleged by the prosecution. He would submit that the sand, which was found in the vehicle bearing Regn.No.TN-39 DW-8458 was dug out from the basement of his own residence, which is under construction and it is not illegal sand as alleged by the respondent police. He would further submit that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Therefore he prayed to grant anticipatory bail to the petitioners.

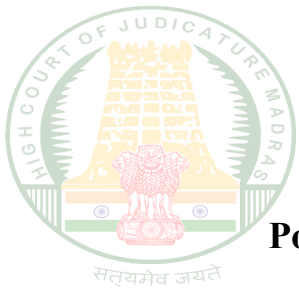
3. The case of the prosecution as put forth by the learned Counsel for Government of Tamil Nadu (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that on 22.05.2026, the



respondent has seized the vehicle viz., Bharat Benz 1926C BSVI 4X2 – 2 Dipper Body vehicle bearing Regn.No.TN-39 DW 8458 loaded with cravel sand without obtaining any permission. He would submit that the 1<sup>st</sup> petitioner is owner of the vehicle and 2<sup>nd</sup> petitioner is driver of the vehicle and no previous antecedents pending against the petitioners.

4. Having heard the learned counsel for the petitioners, the learned Counsel for Government of Tamil Nadu (Criminal Side) for the respondent Police and perused the materials available on record and considering that no previous antecedents pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. 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 on which the order copy made ready, before the **learned Judicial Magistrate, Annur** on condition that the petitioners shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** each with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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, daily at 10.30 a.m., until further orders;

[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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

**27-05-2026**

Index: Yes/No

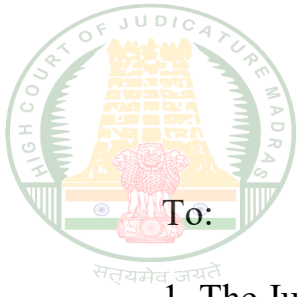
Speaking/Non-speaking order

Neutral Citation: Yes/No

RPP/JRS

**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, Annur.
2. The Inspector of Police, Annur Police Station, Coimbatore District.
3. The Public Prosecutor, Madras High Court.

WEB COPY



WEB COPY

CRL OP No. 13766 of 2



**MOHAMMED SHAFFIQ J.**

**RPP/JRS**

**CRL OP No. 13766 of 2026**

**27-05-2026**