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CRL OP No. 13727 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-05-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

CRL OP No. 13727 of 2026

K.Elumalai

..Petitioner

Vs

The State rep. by
The Inspector of Police
Polur Police Station,
Thiruvannamalai District.
(Crime No.127 of 2026)

..Respondent

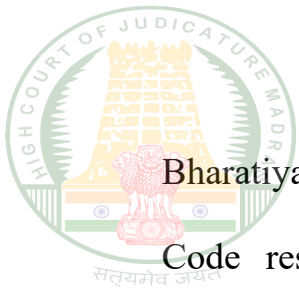
Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023, praying to enlarge the petitioner on anticipatory bail in the event of his arrest in respect of Crime No.127 of 2026, on the file of the Inspector of Police, Polur Police Station, Thiruvannamalai District.

For Petitioner: Mr.S.B.Viswanathan

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

ORDER

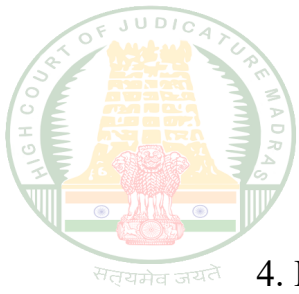
The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 132, 303(2) and 326(a) of the



Bharatiya Nyaya Sanhita, 2023 (Sections 353, 379 and 430 of Indian Penal Code respectively) read with Section 21(5) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.127 of 2026 on the file of the respondent Police, seek anticipatory bail.

2. The learned counsel for the petitioner, pleading innocence on the part of the petitioner and false implication in the case, seeks indulgence of this Court. He submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Therefore, he prayed to grant anticipatory bail to the petitioner.

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 the grant of anticipatory bail that the petitioner was involved in illegal transportation of one unit of vandal sand in a lorry bearing Reg No.TN21 AB 2373 without any valid permit or license and that the petitioner was caught red handed by the respondent police. He further submitted that there is no previous case pending against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.



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4. Having heard the learned counsel for the petitioner, the learned counsel for Government of Tamil Nadu (Criminal Side) for the respondent Police and perused the materials available on record and considering the fact that there is no previous case pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **learned Judicial Magistrate Court, Polur, Thiruvannamalai District** on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** 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 conditions that:

[a] the petitioner 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 petitioner is directed to make a non-refundable deposit of **Rs.20,000/- [Rupees Twenty Thousand Only]** directly to the credit of “Tamil Nadu State Legal Services Authority, High Court Campus, Chennai”, without prejudice



to the right of the defence before the Trial Court and the receipt shall be produced at the time of executing the bond;

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[c] the petitioner shall report before the respondent Police, daily at 10.30 a.m., until further orders;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.

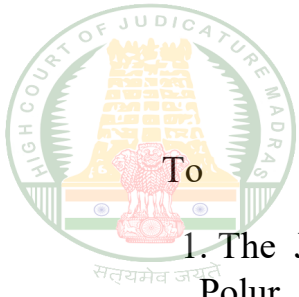
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Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.

2. All concerned to act on this order being uploaded on 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 Court,
Polur, Thiruvannamalai District

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2. The Inspector of Police
Polur Police Station,
Thiruvannamalai District.

3. The Public Prosecutor,
Madras High Court.



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MOHAMMED SHAFFIQ, J.

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