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CRL OP No. 14423 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 09-06-2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 14423 of 2026**

1. Manigandan
2. Santhosh kumar

..Petitioners

Vs

The State Represented by  
The Sub Inspector of Police  
Vellore North Police Station,  
Vellore District.  
Crime No.140 of 2026

..Respondent

**PRAYER :** Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.140 of 2026 on the file of the Respondent Police.

For Petitioners:

M/S. P. Sriram

For Respondent:

Ms.R.S.Indira,  
Govt.Advocate (Crl.Side)

### **ORDER**

The petitioners apprehend arrest for the alleged offences under Sections 303(2) and 326 (a) of BNS in Crime No.140 of 2026 on the file of the respondent police seek anticipatory bail.

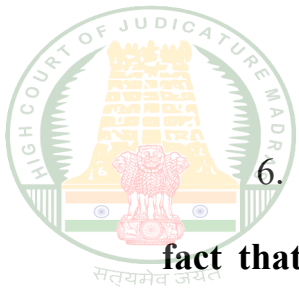


2. The allegation against the petitioners is that the petitioners were involved in illegal transportation of ½ units of river sand sand in a van without any valid permit or licence by using van and that the petitioners were caught red handed by the respondent police. Hence, the case.

3. The learned counsel for the petitioners submitted that the 1<sup>st</sup> petitioner has already been arrested. He further submitted that 2<sup>nd</sup> petitioner was innocent and that he has been falsely implicated in this case. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the 2<sup>nd</sup> petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the 1<sup>st</sup> petitioner has already been arrested and there is no previous case against the 2<sup>nd</sup> petitioner. However, he opposed to grant anticipatory bail to the 2<sup>nd</sup> petitioner.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.



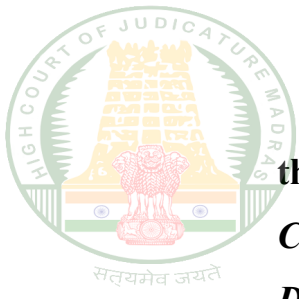
6. **Considering the totality circumstances of the case and upon the fact that the 1<sup>st</sup> petitioner has already been arrested, this application in respect of 1<sup>st</sup> petitioner is dismissed as infructuous and on the other hand, the 2<sup>nd</sup> petitioner has no previous case pending against him, hence, this Court is inclined to grant anticipatory bail to the 2<sup>nd</sup> petitioner, subject to certain conditions.**

7. Accordingly, **the 2<sup>nd</sup> 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-IV, Vellore**, on condition that the 2<sup>nd</sup> petitioner shall execute a **bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the second petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The second petitioner/accused is directed to produce a demand draft for a sum of Rs.10,000/- (Rupees Ten**



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thousand only) in favour of the '*The Chairman/District Collector, The District Mineral Foundation Trust of Vellore District*', (Non refundable) before the learned Judicial Magistrate, Vellore District ;

(d) On production of the above Demand Draft, the learned Magistrate is directed to take necessary steps to hand over the same to the District Collector. Upon receipt of the said amount, the District Collector shall realise and utilise the same strictly in accordance with law and in terms of G.O.Ms.No.84, Natural Resources (MMD.1) Department, dated 16.12.2025;

(e) The second petitioner shall report before the respondent police daily at 10.30 am for a period of four weeks;

(f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the second petitioner in accordance with law as if the conditions have been imposed and the second petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;

(g) If the second petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

8. In the result, this Criminal Original Petition is allowed insofar as the second Petitioner is concerned and dismissed as infructuous insofar as the first Petitioner is concerned.

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To:

1. The Judicial Magistrate IV  
Vellore.
2. The Sub Inspector of Police  
Vellore North Police Station,  
Vellore District.
3. The Public Prosecutor  
High Court of Madras



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**C.KUMARAPPAN J.**

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