



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14149 of 2026

M.Chinnasamy
S/o.Marappa Gounder,
No.7/89, Palayakadu Thottam,
Vadamuagam Kangayapallayam,
Thiruppur, Thiruppur District.

..Petitioner(s)

Vs

State rep.by,
Inspector of Police,
Kolathur Police Station,
Kolathur, Salem district.
Cr.No.141 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in Cr.No.141 of 2026 on the file of Inspector of Police, Kolathur Police Station, Salem district or on his appearance before the concerned court.

For Petitioner(s): Mr.M.R.Jothimanian

For Respondent(s): Mr.N.Palanivel,
Government Advocate (Crl.Side)



ORDER

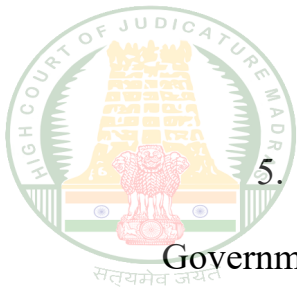
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The petitioner, who apprehends arrest for the alleged offence under Sections 303(2) of Bharatiya Nyaya Sanhita, 2023 and Section 2(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.141 of 2026, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner had illegally excavated gravel sand from the land comprised in S.No.65/2A, which is a patta land of one Krishnasundar and also tried to transport the same for sale without permission. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner was innocent and he has not committed any such offence as alleged by the defacto complainant and 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 petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that no previous case has been registered against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.



5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

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6. From the submission made by the learned Government Advocate (Crl.Side), this is a case of only attempt to illegally transport gravel sand the petitioner does not have any previous cases. Though, this Court views the offence of theft of natural resources and its exploitation as serious offence, taking into consideration of the fact that he has no previous case, and upon the fond hope that he would mend himself in future and would not come under the adverse notice of the respondent and hence, in view of the above factual position, the custodial interrogation of the petitioner is not required, this Court is inclined to enlarge him on anticipatory bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before **the learned Judicial Magistrate-I, Mettur, Salem District** on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty 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 petitioner fails to surrender before the concerned 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;



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(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 petitioner shall sign before the respondent police twice a day at 10.30 a.m., and 5.30 p.m., for a period of four weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the 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]*;

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

05-06-2026

Vv

To:

- 1.The Judicial Magistrate-I, Mettur
- 2.The Inspector of Police, Kolathur Police Station, Kolathur, Salem District.
- 3.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

VV

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