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CRL OP No. 14214 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14214 of 2026

1. Radhakrishnan
S/o.Perumal,
No.1, Pillaiyar Kovil Street,
Rangapuram Village,
Vellore District.
2. Dhayalan
S/o.Annamalai,
No.11, Pillayar Kovil Street,
Narayanapuram Village,
Vellore District.

..Petitioner(s)

Vs

The State Rep. by The Inspector of Police,
Arni Taluk Police, Tiruvannamalai District.
Crime No.220/2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioners on bail in the event of arrest in Crime No.220 of 2026 on the file of the respondent police station and thus render justice.



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For Petitioner(s): M/s.E.Sathiyaraj Elangovan

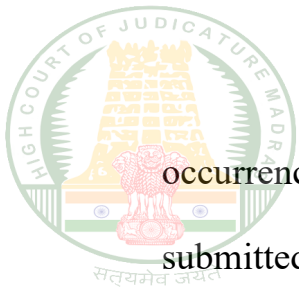
For Respondent(s): Mr.N.Palanivel
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 303(2), 326(a) of BNS (corresponding Section 379, 430 of IPC) and Section 21(1) of Mines & Minerals (Development and Regulation) Act, 1957 in Crime No.220 of 2026, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioners had illegally transported 6 units of rough stone by using a lorry bearing Regn.No.TN-23-DF-8877 without any valid permit or licence. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners have not committed any such offence and they have been falsely implicated in this case. He further submitted that the petitioners are Owner and driver of the said lorry, they are having Transport Permit vide Permit order dated 27.05.2026 by mentioning the vehicle and driver and the place of loading and place of



occurrence is border district of Ranipet and Tiruvannamalai. He further submitted that they are ready to abide by any stringent condition that may be imposed by this Court and they are ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioners are the owner and driver of the lorry respectively and no previous cases have been registered against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

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

6. From the submission made by the learned Government Advocate (Crl.Side) the petitioners 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 they have no previous cases, and upon the fond hope that they would mend themselves in future and would



not come under the adverse notice of the respondent, this Court is inclined to enlarge him on anticipatory bail, subject to certain conditions.

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7. 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 is made ready, before the ***learned Judicial Magistrate, Arni, Tiruvannamalai District***, on condition that each of the petitioners shall execute separate bonds 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 petitioners 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 petitioners/accused are jointly directed to produce a demand draft for a sum of Rs.80,000/- (Rupees Eighty thousand only) in favour of the 'The Chairman/District Collector, The District Mineral Foundation**



Trust of Tiruvannamalai District', (Non refundable) before the learned Judicial Magistrate, Arni, Tiruvannamalai District;

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(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;

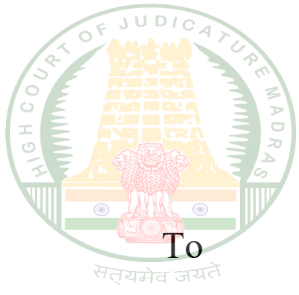
(e) The petitioners shall sign before the respondent police twice a day at 10.30 a.m., and 5.30 p.m., for a period of four weeks and thereafter, as and when required for interrogation;;

(f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

05-06-2026

VV



To

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1. The Judicial Magistrate, Arni, Tiruvannamalai District
2. The Inspector of Police, Arni Taluk Police Station, Tiruvannamalai District.
3. The Public Prosecutor, High Court, Madras.
4. The Chairman/District Collector,
The District Mineral Foundation Trust of Tiruvannamalai District.



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C.KUMARAPPAN, J.

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