



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14278 of 2026

1. Katturaja
S/o.Chinna Pillai,
No.90, Nadutheru,
Bhujangarayanallur,
Perambalur - 621 713.
2. Ramadoss
S/o.Srinivasan,
No. 15/3, North Street, Jaminperaiyur,
Nochikulam,
Perambalur 621 713

..Petitioner(s)

Vs

The State Rep by,
The Inspector of Police,
Kunnam Police Station,
Perambalur.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on Anticipatory bail in the event of their arrest, pending investigation in Cr.No.345/2025, on the file of the Kunnam Police Station, Perambalur and thus render justice.

For Petitioner(s): Mr.D.Ashok Kumar

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



ORDER

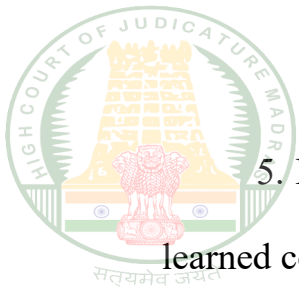
WEB COPY

The petitioners, who apprehend arrest at the hands of the respondent-Police for the offences punishable under Sections 303(2) of BNS Act 2023 and Section 21(1) of Mines and Minerals Act 1957 in Crime No.345 of 2025, on the file of the respondent - Police, seek anticipatory bail.

2. The allegation against the petitioners is that they were found in illegal possession of 30 units of River Sand. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court and sought anticipatory bail for the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police reiterated the prosecution case and, upon instructions, submitted that eight previous cases have been registered against the first petitioner and no previous case is registered as against the second petitioner. Hence, he opposed to grant anticipatory bail to the petitioners.



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.

WEB COPY

6. From the submissions of the learned counsel on either side, this Court is of the view that the first petitioner has eight previous cases, which clearly demonstrates that the first petitioner has misused the liberty granted by this Court and subverts the course of justice by repeatedly committing the similar offences. Further, the present case involves the illegal exploitation of natural resources, which has to be viewed seriously. Hence, this Court is not inclined to grant anticipatory bail to the first petitioner.

7. Though this Court views the offence of theft of natural resources and its exploitation as serious offence, taking into consideration the fact that the second petitioner 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, this Court is inclined to enlarge the second petitioner on anticipatory bail, subject to certain conditions.

8. Accordingly, the second 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, Kunnam, Perambalur** on condition that **the**



second 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 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 slip (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 is directed to produce a Demand Draft for a sum of Rs.3,00,000/- (Rupees Three Lakhs only) in favour of the 'The Chairman/District Collector, The District Mineral Foundation Trust of Perambalur District', (Non refundable) before the learned Judicial Magistrate, Kunnam, Perambalur;**

(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 realize and utilize 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;**



WEB COPY

(e) The second petitioner shall report before the respondent/Police daily at 10.30 am 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 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]*;

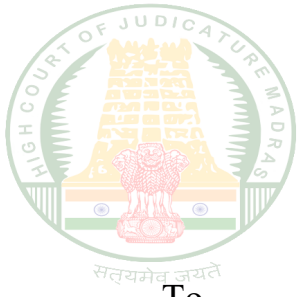
(g) If the second petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

9. In the result, insofar as the first petitioner is concerned, this Criminal original petition is dismissed. Insofar as the second petitioner is concerned, this Criminal Original petition is allowed with the above conditions.

08-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MFA



To
WEB COPY

1. The Judicial Magistrate,
Kunnam, Perambalur.
2. The Inspector of Police,
Kunnam Police Station,
Perambalur.
3. The Public Prosecutor,
High Court, Chennai.



WEB COPY

CRL OP No. 14278 of 2



C.KUMARAPPAN, J.

MFA

CRL OP No. 14278 of 2026

08-06-2026