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CRL OP No. 14265 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14265 of 2026

Prakash
S/o.Karthi,
No.11 New Colony ,
Aridarimangalam Village,
Tiruvannamalai District.

..Petitioner(s)

Vs

State By, The Inspector of Police,
Kadaladi Police Station,
Thiruvannamalai District.

..Respondent(s)

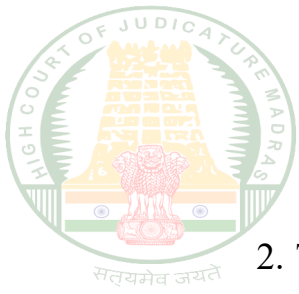
PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on Bail in the event of Arrest in Crime No.166 of 2025, on the file of the Inspector of Police, Kadaladi Police Station, Thiruvannamalai District and thus render justice.

For Petitioner(s): Mr.S.Silambu Selvan

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

ORDER

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 303(2), 326(a) of the Bharatiya Nyaya Sanhita (BNS) Act, 2023 and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 in Crime No.166 of 2025 the file of the respondent/Police, seeks anticipatory bail.



2. The allegation against the petitioner is that he illegally transported 1/4 unit of River Sand by using a bullock cart. Based on the complaint, a case has been registered as against the accused.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any such offence as alleged by the de-facto 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. 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 cases had 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.

6. From the submission made by the learned Government Advocate (Crl.Side), it is seen that 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 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, 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, Kalasapakkam, on condition that the 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 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;



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(c) **The petitioner shall report before the respondent-Police daily at 10.30 am for a period of two weeks and thereafter, as and when required;**

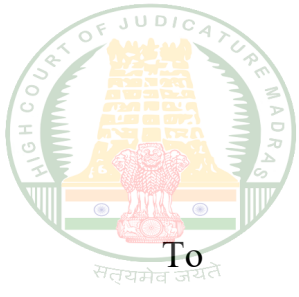
(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law, as if the conditions have been imposed and the petitioner is released on anticipatory bail by the learned Magistrate/Trial Court 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.

08-06-2026

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

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To

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1. The Judicial Magistrate, Kalasapakkam
2. The Inspector of Police,
Kadaladi Police Station,
Thiruvannamalai District.
3. The Public Prosecutor,
High Court, Chennai.



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CRL OP No. 14265 of 2



C.KUMARAPPAN, J.

MFA

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08-06-2026