



WEB COPY

CRL OP No. 14746 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14746 of 2026

1. Sukumar
S/o.Balu,
Apt No 245, Meyyanur Main Road,
Meyyanur Village,
Alagapuram Post,
Salem District.
2. C Rathinam
S/o.Chinnaiyan,
No. 1/92, Naripallam,
Sikkanampatti,
Salem District.

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police,
Deevattipatty Police Station,
Salem District.
Crime No.251 of 2026

..Respondent(s)

PRAYER: Criminal Original Petition has been filed under Section 482 of BNSS, to enlarge the petitioners on bail on the event of arrest in Crime No.251 of 2026 on the file of the respondent police and thus render justice

For Petitioner(s):

Mr.Deepak Kumar C

For Respondent(s):

Mr.N.Palanivel,
Government Advocate (Crl. Side)



Order

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The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 and Section 303 (2) of BNS, in Crime No.251 of 2026, seek anticipatory bail.

2. The case of the prosecution is that based on the complaint dated 22.05.2026, lodged by Mr.P.Aravind, Assistant Geologist, Department of Geology and Mining Salem District, the respondent police conducted an inspection at Government Poramboke Land in Survey No.146/2, at Theevattipatti Village, Kadayampatti Taluk, Salem District, and found that the petitioners herein are the Quarry owners and they have been charged for having possession of rough stones, without any valid permit or license. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. The petitioners are ready and willing to abide by any conditions that may be imposed by this Court. Hence, they pray for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that 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 case, and upon the fond hope that they would mend himself in future and would not come under the adverse notice of the respondent, this Court is inclined to enlarge them on anticipatory bail, subject to certain conditions. At this juncture, the learned counsel appearing for the petitioners volunteered to make non refundable deposit Rs.30,000/- to any one of the welfare of the scheme without prejudice to their defence.



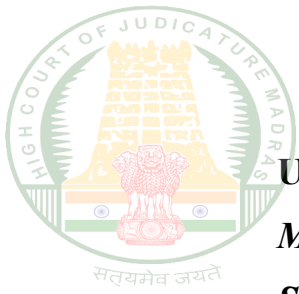
7. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before **the learned Judicial Magistrate, Omalur**, on condition that **the petitioners 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 petitioners fail 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 petitioners are directed to produce a demand draft for a sum of Rs.15,000/- each totalling, Rs.30,000/- (Rupees Thirty thousand only) in favour of the 'The Dean, Government Mohan Kumaramangalam Medical College and Hospital, Salem' (Non refundable) before the learned Judicial Magistrate, Omalur;**

(d) **On production of the above Demand Draft, the learned Magistrate is directed to take necessary steps to hand over the same to the Dean, Government Mohan Kumaramangalam Medical College and Hospital, Salem.**



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Upon receipt of the said amount, the Dean, *Government Mohan Kumaramangalam Medical College and Hospital, Salem*, shall realise and utilise the same strictly in accordance with law for the welfare of the hospital;

(e) The petitioners shall report before the respondent police daily at 10.30 am for a period of four weeks and there after 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.

15-06-2026

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

To

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



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C.KUMARAPPAN J.

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