



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14542 of 2026

Prakash S/o.Madhu,
No.11, Ponni Nagar,
Sokkanur, Veeraganur,
Thalaivasal Taluk,
Salem District.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
Veeraganur Police Station,
Salem District.
(Crime No.131/2026)

..Respondent(s)

PRAYER: This Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in Crime No.131/2026 pending investigation on the file of the respondent.

For Petitioner(s):	M/S. E.Kannadasan
For Respondent(s):	Mr.S.Yogaraja Sekar, Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.05.2026 for the alleged offences under Sections 303(2) of B.N.S. read with Section 21(1) of Mines and Minerals (Development and Regulation) Act in Crime No.131 of 2026 on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that the petitioner was involved in illegal transportation of 2 units of gravel without any valid permit or licence by using a Tractor bearing Registration No.TN77 L 8332 with trailer and that the petitioner was caught red handed by the respondent police near Veeraganur Ottar Street to Bridge, in front of JB Mahal. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and that 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 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 have been registered against the petitioner. However, he opposed to grant bail to the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. From the submission made by the learned Government Advocate (Crl.Side), it is seen that the petitioner does not have any previous cases.

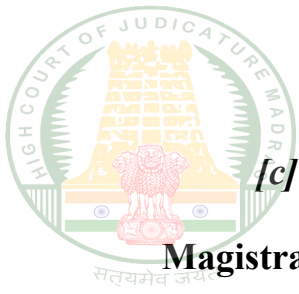


Though, this Court views the offence of theft of natural resources and its exploitation as serious offence, taking into consideration of the fact that the petitioner has no previous case, and upon the fond hope that he would mend himself in future and would not come under the adverse notice of the respondent, this Court is inclined to enlarge the petitioner on bail, subject to the following stringent conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 Judicial Magistrate No.II, Attur** and on further conditions that:

[a] 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 the identity proofs to ensure their identity;

[b] **The petitioner/accused is directed to produce a demand draft for a sum of Rs.45,000/- (Rupees Forty-Five Thousand only) in favour of the 'The Chairman/District Collector, The District Mineral Foundation Trust of Salem District', (Non refundable) before the learned Judicial Magistrate No.II, Attur;'**



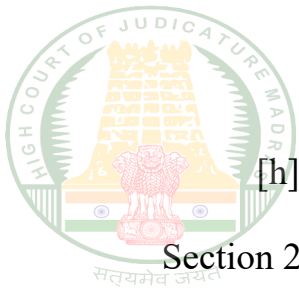
[c/ On production of the above Demand Draft, the learned Magistrate is directed to take necessary steps to hand over the same to the District Collector. Upon receipt of the said amount, the District Collector shall realise and utilise the same strictly in accordance with law and in terms of G.O.Ms.No.84, Natural Resources (MMD.1) Department, dated 16.12.2025;

[d) The petitioner shall report before the respondent police daily at 10.30 am for a period of four weeks;

[e] the petitioner shall not abscond either during investigation or trial;

[f] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]:



[h] If the accused thereafter absconds, a fresh FIR can be registered under

Section 269 of B.N.S.

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate No.II, Attur.
2. The Inspector of Police, Veeraganur Police Station, Salem District.
3. The Sub Jail, Attur.
4. The Public Prosecutor, High Court of Madras.
5. he Chairman/District Collector,
The District Mineral Foundation Trust of Salem District.



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C.KUMARAPPAN, J.

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