



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14462 of 2026

WEB COPY

1. Arputharaj,
S/o. Samikannu,
No15, KK, Nagar, Mangadu,
Kancheepuram-600122.
2. Munusamy,
S/o. Kannappan,
No1-96, Pommiyampatti, Mettur Taluk,
Aranagnur,
Salem District-636451.

..Petitioner(s)

Vs

State rep. by
The Inspector of Police,
Nazarethpet Police Station,
Avadi City.
Crime No.90 of 2026

..Respondent(s)

PRAYER: Criminal Original Petition has been filed under Section 482 of BNSS, to enlarge the petitioners on bail in the event of their arrest in Crime No.90 of 2026 pending investigation on the file of the respondent police.

For Petitioner(s): Mr.T. Dhasarathan

For Respondent(s): Mr.N.Palanivel,
Govt 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 303(2) of BNS r/w Section 21(1) Mines and Minerals (Development and Regulation) Act, 1957 (379 of IPC), in Crime No.90 of 2026, seek anticipatory bail.

2. The case of the prosecution is that based on secret information, the respondent police went to the scene of occurrence and found that the petitioners had illegally transported 5 units of gravel sand stone with the help of tripper lorry. 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.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that no previous case has 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 themselves 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.

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 (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-I, Poonamallee**, on condition that **the petitioners shall execute a bond for a sum of Rs.20,000/- each (Rupees Twenty 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 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;

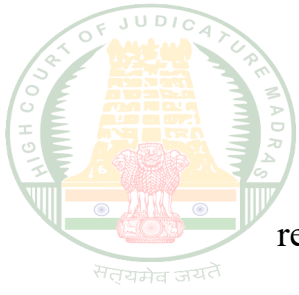
(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioners are directed to produce a demand draft for a sum of Rs.50,000/- each (Rupees Fifty thousand only) in favour of the ‘*The Chairman/District Collector, The District Mineral Foundation Trust of Thiruvallur District*’, (Non refundable) before the learned Judicial Magistrate-I, Poonamallee;**

(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 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.

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

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To

- 1.The Inspector of Police,
Nazarethpet Police Station,
Avadi City.
- 2.The Judicial Magistrate-I,
Poonamallee.
- 3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

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