



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 14663 of 2026

1. G.Tirupathi

2. J.Balaji

..Petitioner(s)

Vs

The State Rep By, The Sub-Inspector Of Police
Thimmampettai Police Station,
Tirupathur District.
crime No.41 of 2026

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 482 of BNSS to grant Anticipatory Bail to the petitioners in the event of their arrest or on their appearance before any court in connection with the case in Crime No.41 of 2026 pending investigation on the file of the respondent police and thus render justice

For Petitioner(s): M/S.M P JAYAPRAKASH

For Respondent(s): MS.R.S.INDIRA, GOVT.ADVOCATE
(CRL.SIDE)



ORDER

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The petitioners apprehend arrest for the alleged offences punishable under Sections 303(2) and 326(a) of BNS 2023, in Crime No.41 of 2026 on the file of the respondent police, seek anticipatory bail.

2. The prosecution case is that on 15.04.2026, the respondent police detected the petitioners illegally mining 1 ½ units of soil without any valid license or permit. Hence, the present case was registered against the petitioners.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are ready and willing to furnish substantial sureties for his due release and to abide by any conditions that may be imposed by this Hon'ble Court and therefore, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while reiterating the prosecution case, strongly opposed the grant of anticipatory bail and submitted that if the petitioners are enlarged on anticipatory bail, they may abscond and commit similar offences in future as well.



5. Considering the rival submissions, the nature of the offence, and the quantity of sand involved in this case, they were granted bail in that case, this Court is inclined to grant anticipatory bail to the petitioners subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate Court, Vaniyampadi**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer;

[c] the petitioners shall not leave India without the previous permission of the Court;

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the



petitioners in accordance with law as if the conditions have been imposed and the petitioners 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)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

11-06-2026

GBI

To

- 1.The State Rep By, The Sub-Inspector Of Police
Thimmampettai Police Station,
Tirupathur District.
crime No.41 of 2026
- 2.The Judicial Magistrate Court, Vaniyampadi.
- 3.The Public Prosecutor, High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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