



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14754 of 2026

1. Muthu

Door No 8/103, Gopalanur,
Ondikarankadu, Chinnagoundanur,
Sankari TK,
Salem District - 637 303.

2. Kandhasamy

Door No 8/103 Gopalanur,
Ondikarankadu, Chinnagoundanur,
Sankari TK,
Salem District - 637 303.

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police
Sankari P.S.,
Salem District,
Crime No.245 of 2026

..Respondent(s)

PRAYER: Criminal Original Petition has been filed under Section 482 of BNSS, to release the Petitioners on Anticipatory Bail in the event of their arrest by the respondent in Crime No.245 of 2026 on the file of Inspector of Police, Sankari P.S., Salem district pending investigation.

For Petitioner(s): Mr.Muthu Visakan.K.V.

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



Order

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 303(2) of the Bharatiya Nyaya Sanhita, 2023 r/w Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.245 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 have unauthorisedly quarried and transported 3,780 Metric Ton of limestones worth about Rs.25,70,400/-. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners had license to quarry and the license got lapsed. He further submitted that there is no allegation against the petitioners for the current transportation of lime stones and the entire FIR is only based upon the presumption. 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 since the petitioners have already committed illegal transportation of the lime stones and the FIR came to be registered and they had caused loss to the exchequer to the tune of Rs.25,70,400/-. He further submitted that there is no previous case 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, there are allegations and counter allegations, on mere perusal of the FIR, it discloses that the assessment of loss is based upon the presumption and therefore, at this juncture, this Court is of the view that the custodial interrogation of the petitioners are not required. Hence, 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



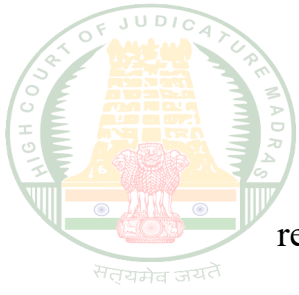
the date on which the order copy is made ready, before the **learned Judicial Magistrate-I, Sankari**, on condition that **the petitioners shall execute a bond for a sum of Rs.20,000/- each (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned 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 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;**

(d) 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]***;



(e) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

WEB COPY

15-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

AH

To

1.The Inspector of Police,
Sankari P.S.,
Salem District.

2.The Judicial Magistrate No.I,
Sankari.

3.The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL OP No. 14754 of 2



C.KUMARAPPAN J.

AH

CRL OP No. 14754 of 2026

15-06-2026