



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14839 of 2026

B.Senthil Kumar

..Petitioner

Vs

The State, Rep by
The Inspector of Police,
Vazhapadi Police Station,
Salem District.
[Cr.No.239 of 2026]

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on anticipatory bail in the event of his arrest to the respondent police in Crime No.239 of 2026 on the file of the respondent Police, the Inspector of Police, Vaazhapadi Police Station, Salem District.

For Petitioner:

Mr.P.Thamizh Vendan

For Respondent:

Mr.N.Palanivel

Government Advocate (Crl.side)

ORDER

The petitioner apprehends arrest for the alleged offence under Section 303(2) of the BNS and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.239 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that on 04.06.2026, pursuant to a news report aired on News 24/7 television, the de facto complainant conducted an inspection at Mettupatty Village, Valapady Taluk, Salem District, during which it was allegedly found that gravel soil and ordinary stones had been excavated and transported without any valid permit in a tipper vehicle belonging to a company in which the petitioner is a Director. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case. He further submitted that the co-accused has already been granted anticipatory bail by this Court on 11.06.2026 in Crl.OP.No.14717 of 2026. Therefore, on the ground of parity, he prays for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal 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 anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent.

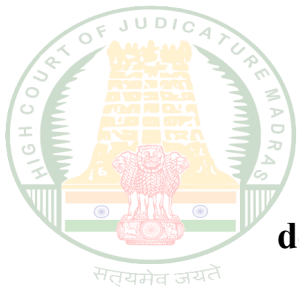


6. From the submission made by the learned Government Advocate (Criminal Side) it is seen that the petitioner had no bad antecedents. Though, this Court views the offence of theft of natural resources and its exploitation as serious offence, taking into consideration of the fact that petitioner had no previous cases, 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 him on anticipatory bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **learned District Munsif cum Judicial Magistrate, Vazhapadi** on condition that the **petitioner 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 petitioner fails 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;



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(c) The petitioner/accused is directed to produce a demand draft for a sum of Rs.5,00,000/- (Rupees Five Lakhs only) in favour of the '*The Chairman/District Collector, The District Mineral Foundation Trust of Salem District*', (Non refundable) before the learned District Munsif cum Judicial Magistrate, Vazhapadi;

(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 petitioner shall report before the respondent police daily at 10.30 am for a period of four weeks;

(f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

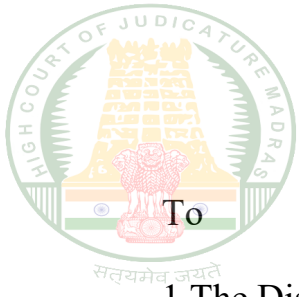
12-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VEDA



To

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1. The District Munsif cum Judicial Magistrate, Vazhapadi.

2. The Inspector of Police,
Vazhapadi Police Station,
Salem District.

3. The Public Prosecutor,
Madras High Court.

4.4. The Chairman/District Collector,
The District Mineral Foundation Trust of Salem District.



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CRL OP No. 14839 of 2



C.KUMARAPPAN, J.

VEDA

CRL OP No. 14839 of 2026

12-06-2026