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CRL OP No. 14878 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14878 of 2026

Jaganathan
S/o.Bomma Naicker,
No.91A, Naickkar Street,
Valakuttapatti, E.Pethampatti,
Salem District.

..Petitioner(s)

Vs

State rep.by,
The Inspector of Police,
Mallur Police Station,
Salem District.
Cr.No.172 of 2026.

..Respondent(s)

Criminal Original Petition filed under Section 482 of BNSS, praying to
enlarge the petitioner on bail in the event of his arrest in Cr.No.172 of 2026 on
the file of the respondent.

For Petitioner(s):

Mr.Camyles Gandhi W

For Respondent(s):

Mr.N.Palanivel
Government Advocate (Crl.Side)



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ORDER

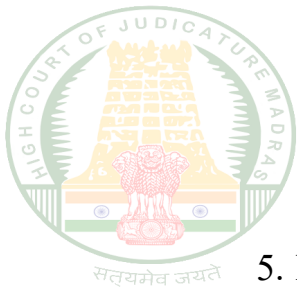
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The petitioner, who apprehends arrest for the alleged offence under **Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957** r/w **Section 303(2) of BNS** in **Crime No.93 of 2026**, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner was involved in illegal transportation of 4,420 cubic meter of gravel sand and 90 cubic meter stone worth about 10,07,760/- and 56,700/- respectively without any valid permit or licence by using a Excavator Hyundai and Two wheelers and that the petitioner was caught red handed by the respondent police. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner was 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 anticipatory 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 anticipatory bail to the petitioner.

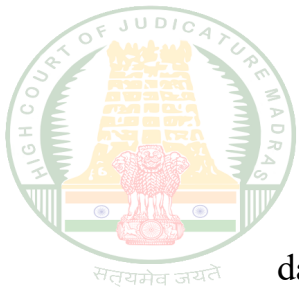


5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

6. From the submission made by the learned Government Advocate (Crl.Side) 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 he 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 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 Judicial Magistrate VI, Salem**, 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



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date of receipt of a copy of this order, this order shall stand automatically cancelled;

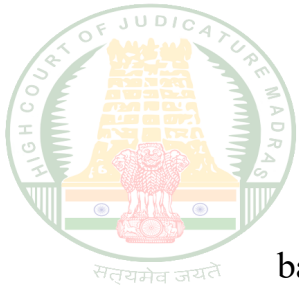
(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioner/accused is directed to produce a demand draft for a sum of Rs.1,00,000/- (Rupees One lakh only) in favour of the ‘*The Chairman/District Collector, The District Mineral Foundation Trust of Salem District*’, (Non refundable) before the learned Judicial Magistrate-VI, Salem District;**

(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



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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.

8.This Criminal Original Petition ordered accordingly.

12-06-2026

KMI

To

1.The Judicial Magistrate-VI
Salem.

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

3.The Public Prosecutor
Madras High Court.



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C.KUMARAPPAN, J.

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