



CRL OP No. 14947 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14947 of 2026

1. Akash
S/o. Mr. Balachandar,
Gandhi Nagar,
Thiruvengatapuram,
Ponneri, Tiruvallur District - 601 204.
2. Harish R.B.
Gandhi Nagar, Thiruvengatapuram, Ponneri,
Tiruvallur District.
3. Revathy
Gandhi Nagar, Thiruvengatapuram, Ponneri,
Tiruvallur District.
4. V. Kannikumar
No.2/46, Indira Street, Ellammanpettai,
Pammadukulam, Chennai-600052.
Tiruvallur District.

..Petitioner(s)

Vs

The State Rep. by The Inspector of Police
C-2. Periyapalayam Police Station,
Tiruvallur District.

..Respondent(s)

Criminal Original Petition filed under Section 482 of BNSS, praying to enlarge the petitioners on Bail in the event of their arrest by the respondent in respect of the Crime No.198 of 2026, on the file of the respondent and pass such further or other orders.



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For Petitioner(s):

Mr.R. Sureshkumar

For Respondent(s):

Mr.N.Palanivel,
Govt Advocate (Crl Side) for Respondent

ORDER

The petitioners, who apprehend arrest for the alleged offence **318(4) of BNS read with Section 21 of Mines & Minerals (Development & Regulation) Act, 1957** in **Crime No.198 of 2026**, on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners were involved in illegal transportation of 56 units of gravel sand without any valid permit or licence by using 7 tipper lorries and that the petitioners was caught red handed by the respondent police. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocents and that they have been falsely implicated in this case. He further submitted that they are ready to abide by any stringent condition that may be imposed by this Court and they are ready to co-operate for investigation. Hence, he prays to grant 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 cases have been registered against these petitioners.

However, he opposed to grant anticipatory bail to the petitioners.

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 petitioners do 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 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 is made ready, before the **Learned District Munsif-cum-Judicial Magistrate, Uthukottai, Tiruvallur District**, on condition that each of the **petitioners shall execute a separate 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:



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(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 each of the petitioners/accused are directed to produce a demand draft for a sum of Rs.2,27,500/- (Rupees Two lakhs Twenty Seven Thousand and Five Hundred only) in favour of the 'The Chairman/District Collector, The District Mineral Foundation Trust of Tiruvallur District', (Non refundable) before the learned District Munsif-cum-Judicial Magistrate, Uthukottai Tiruvallur 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 petitioners shall report before the respondent police daily at 10.30 am for a period of four weeks;**



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(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.

8.This Criminal Original Petition is ordered accordingly.

15-06-2026

KMI

To

1.The District Munsif-cum-Judicial Magistrate,
Uthukottai,
Tiruvallur District.

2.The Inspector of Police
C-2. Periyapalayam Police Station,
Tiruvallur District.

3.The Public Prosecutor
Madras High Court.



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C.KUMARAPPAN, J.

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