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CRL OP No. 15178 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15178 of 2026

Arumugam

..Petitioner

Vs

State represented by
The Inspector of Police,
Ramanatham Police Station,
Cuddalore district.
Crime No.122 of 2026.

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.122 of 2026 on the file of the respondent police.

For Petitioner:

Mr.Gokulakrishnan.R

For Respondent:

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 303(1), 324(1), 351(2) of the Bharatiya Nyaya Sanhita, 2023 read with Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 and Section 5 of the Explosive Substances Act, 1908 in Crime No.122 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the petitioner is alleged to be involved in illegal mining operations causing loss to natural resources. The prosecution case is that the petitioner is the owner of JCB bearing Registration No. TN-50-AY-6619, which was allegedly used in the commission of the offence.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and his role is confined only to being the owner of the JCB vehicle. It is submitted that there is a dispute between the erstwhile land owners and the present defacto complainant and because of the said dispute, the present FIR came to be registered. The learned counsel would further submit that except leasing out the JCB vehicle, no overt act has been attributed against the petitioner. It is further submitted that the petitioner is suffering from neuro problem and is undergoing treatment at Chennai. The learned counsel would also point out that the learned Principal District and Sessions Judge, Cuddalore, by order dated 04.06.2026, granted interim bail and directed the petitioner to surrender on 19.06.2026 and in the meantime he requires continuation of treatment. Therefore, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent opposed the petition on the ground that there was illegal mining operation causing damage to natural resources to the tune of about Rs.1.25



crores and the present FIR came to be registered on that basis. Hence, he opposed to grant anticipatory bail to the petitioner.

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5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. From the submissions made on either side, it is clear that even according to the prosecution, the petitioner is only the owner of the JCB vehicle alleged to have been used in the mining operation. Taking into consideration the medical condition of the petitioner, the materials placed before this Court and the fact that the petitioner is only the owner of the vehicle, this Court is of the view that custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner, 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 (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Titakudi**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty 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 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;

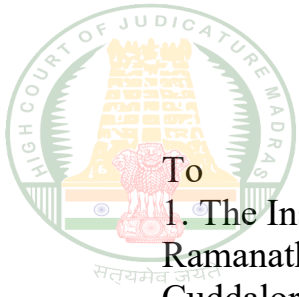
(c) The petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of 15 days and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the 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]*;

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

NSL

17-06-2026



To

1. The Inspector of Police,
Ramanatham Police Station,
Cuddalore District.

2. The Public Prosecutor, High Court of Madras.

3. The Judicial Magistrate, Titakudi.

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C.KUMARAPPAN, J.

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