



WEB COPY

CRL OP No. 16150 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16150 of 2026

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..Petitioner

Vs

The State Rep.by,
The Inspector of Police,
Ammapettai Police Station,
Salem District.
[Cr.No.169/2026]

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to release the petitioner on Anticipatory bail in the event of his arrest by the respondent in Cr.No.169 of 2026 on the file of Inspector of Police, Ammapettai Police Station, Salem District pending investigation.

For Petitioner:

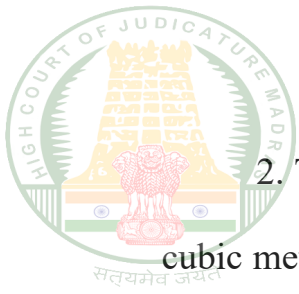
Mr. R.S.Govarthan

For Respondent:

Ms.R.S.Indira
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Section 303(3) of BNS and Section 21(1) of the Mines and Minerals Act in Crime No.169 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the petitioner illegally extracted 135 cubic metres (cbm) of stone valued at Rs.1,20,000/- using a tipper lorry. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any condition that may be imposed by this Court and ready to co-operate for investigation. Hence, he prays to grant 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, she opposed to grant anticipatory bail to the petitioner.

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



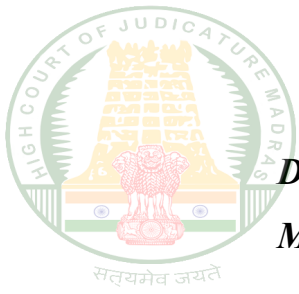
serious offence, taking into consideration of the fact that petitioner had no previous cases, and upon the fond hope that he would mend himself in future and would not come under the adverse notice of the respondent, this Court is inclined to enlarge him on anticipatory bail, subject to certain conditions.

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 Judicial Magistrate V, 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 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.50,000/- (Rupees Fifty Thousand only) in favour of the 'The Chairman/District Collector, The District Mineral Foundation Trust of Salem**



District', (Non refundable) before the learned Judicial Magistrate, Salem;

(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 and thereafter as and when required for interrogation;

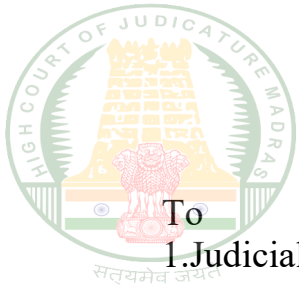
(f) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself 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.

29-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VEDA



To

1. Judicial Magistrate V, Salem.

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

3. The Public Prosecutor,
Madras High Court.

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

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C.KUMARAPPAN, J.

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