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Crl.O.P.No.15817 of 2026



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 23.06.2026**

**CORAM**

**THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN**

**Crl.O.P.No.15817 of 2026**

1.Selladurai  
2.Sellaturai

... Petitioner(s)

Vs.

State rep. By  
The Inspector of Police,  
Kolathur Police Station,  
Salem District.  
(Crime No.170 of 2026)

... Respondent(s)

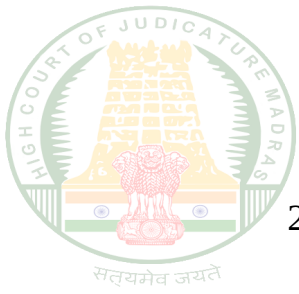
**PRAYER:** Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023 to enlarge the petitioner on bail in the event of their arrest in connection with Crime No.170 of 2026 on the file of the respondent police.

For Petitioner(s) : Mr.C.Deepakkumar

For Respondent(s) : Ms.R.S.Indira  
Government Advocate (Crl. Side)

**ORDER**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) of BNS, 2023 read with Section 21(1) of MM Act Crime No.170 of 2026, seek anticipatory bail.



2. The allegation against the petitioners is that they were attempting to quarry gravel sand using a JCB and transport the same in a tipper lorry without any valid permit or licence. It is further alleged that the petitioners were caught red-handed by the respondent police. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any such offence as alleged by the defacto complainant 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 prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side), appearing for the respondent police, while opposing the grant of anticipatory bail, reiterated the prosecution case and submitted that the petitioners had attempted to illegally quarry gravel sand and transport the same without any valid permit or licence.

5. Though this Court views the offence involving theft and exploitation of natural resources as a serious one, considering the facts and circumstances of the case, and upon the fond hope that the petitioners would mend their ways in



future and would not come under the adverse notice of the respondent police, this Court is inclined to enlarge the petitioners on anticipatory bail, subject to certain conditions.

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6. 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 Judicial Magistrate No.I, Mettur, on condition that the petitioners shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners 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 petitioners are directed to produce a demand draft for a sum of deposit Rs.50,000/- (Rupees Fifty Thousand only) each in favour of the '*The Chairman/District Collector, The District Mineral Foundation Trust of Salem District*', (Non



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*refundable) before the learned Judicial Magistrate No.I, Mettur;*  
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;

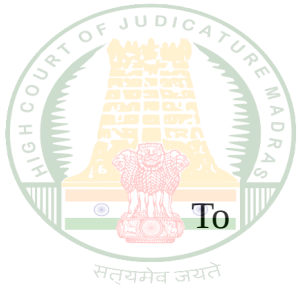
(d) The petitioners shall report before the respondent police daily at 10.30 am and 5.30 pm for a period of two months, thereafter as and when required for interrogation;

(e) 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]***;

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

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1. The Judicial Magistrate No.I, Mettur.
- 2.The Inspector of Police, Kolathur Police Station, Salem District.
3. The Public Prosecutor, High Court of Madras.



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**C.KUMARAPPAN,J.**

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