



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16010 of 2026

1. Suresh
S/o. Rajendran,
No. 2/225, Gummidigampatti Village,
Anikanur, Tirupathur- 635 901.
2. Pandiyan
No.3/77, Murugan Vattam, Gummidigampatti,
Tirupathur- 635 901
3. Mohankumar @ Mohanraj
S/o. Sendhil,
No.3/3, Jikimarathukottai,
Gummidigampatti,
Tirupathur- 635 901

..Petitioner(s)

Vs

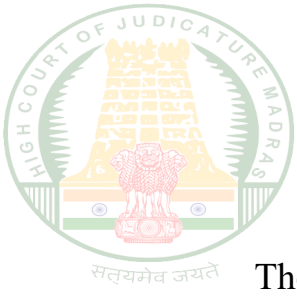
State Rep. by S.H.O.
Kandili Polcie Station,
Kandili, Tiruppathur District.
Crime No.201/2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on bail in the event of arrest by the respondent police in Crime No.201/2026 on the file of the respondent police and thus render justice

For Petitioner(s): M/S. P. SURESH BABU

For Respondent(s): MR.N.PALANIVEL,
GOVT.ADVOCATE (CRL.SIDE)



ORDER

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The petitioners apprehend arrest for the alleged offence punishable **under Sections 305(e), 326(a) of the Bharatiya Nyaya Sanhita (BNS) Act, 2023** in **Crime No.201 of 2026**, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioners is that they had illegally excavated and transported two units of lake mud using JCB and loaded in three tractors without obtaining permission from the competent authorities. Hence, the present petition for anticipatory bail.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that they are ready to abide by any conditions that may be imposed by this Court. 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 the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

6. From the submission made by the learned Government Advocate (Crl.Side) the petitioners 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 they have no previous cases, and upon the fond hope that they would mend themselves in future and would not come under the adverse notice of the respondent, this Court is inclined to enlarge them on anticipatory bail, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before **the learned Judicial Magistrate Court No.II, Tirupattur**, on condition that **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:

(a) If the petitioners fails to surrender before the concerned 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 slip (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/accused are directed to produce a demand draft for a sum of Rs.1,25,000/- (Rupees One Lakh Twenty Five Thousand only), (i.e., Rs.41,667/- (Rupees Forty**



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One Thousand, Six Hundred and Sixty Seven only) each in favour of the 'The Chairman/District Collector, The District Mineral Foundation Trust of Tirupathur District', (Non refundable) before the learned Judicial Magistrate No.II, Tirupattur;

(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 and there after 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

DRL

24-06-2026



To

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1.The Judicial Magistrate Court No.II,
Tirupattur.

2.The Station House Officer,
Kandili Polcie Station,
Kandili, Tiruppathur District.

3.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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