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CRL OP No. 16383 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16383 of 2026

Kannan

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Kalamaruthur Police Station,
Kallakurichi District.
Crime No.150 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 anticipatory bail in the event of his arrest in Crime No.150 of 2026 pending investigation on the file of the respondent.

For Petitioner(s): M Subash

For Respondent(s): Mr.N.Palanivel
Government Advocate (Crl.side)

ORDER

The petitioner, who apprehends arrest for the alleged offence under Section 303(2) of BNS Act, 2023 and Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957 (corresponding offence u/s 379 of IPC) in Crime No. 150 of 2026, on the file of the respondent police, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner was involved in illegal transportation of quarter ($\frac{1}{4}$) unit of river sand without any valid permit or licence in a bullock cart. Hence, the case.

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

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner was involved in illegal transportation of quarter ($\frac{1}{4}$) unit of river sand without any valid permit. Hence, he opposed to grant anticipatory bail to the petitioner.

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. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side); considering the totality of the circumstances and the quantity involved; though this Court



views the offence of theft of natural resources and its exploitation as serious offence 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 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 days from the date on which the order copy is made ready, before learned **Judicial Magistrate-II, Ulundurpet**, 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 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.**

(d) On breach of any of the aforesaid conditions, the



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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.

29-06-2026

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

To:

1. Judicial Magistrate-II, Ulundurpet.

2. The Inspector of Police
Kalamaruthur Police Station,
Kallakurichi.

3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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