



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16295 of 2026

1. Sivaraj
2. Manikandan

..Petitioner(s)

Vs

State rep.by
The Inspector of Police,
SHO, Kandachipuram police station,
Villupuram district.
Cr.no.127 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 Cr.No.127 of 2026 on the file of the respondent police in the event of his arrest.

For Petitioner(s): Sriram M

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

ORDER

The petitioners, who apprehend arrest for the alleged offence under Section 303(2) of BNS Act, 2023 and Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957 in Crime No. 127 of 2026, on the file of the respondent police seeks anticipatory bail.



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2. The allegation against the petitioners is that the petitioners were involved in illegal transportation of 2 units of gravel sand without any valid permit or licence in a vehicle bearing registration No.TN 32 BH 5641 and the petitioners were caught red handed by the respondent police. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioners were innocent and 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 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 submitted that the petitioners had illegally transported of 2 units of gravel sand without any valid permit. Hence, he opposed to grant anticipatory bail to the petitioners.

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); though this



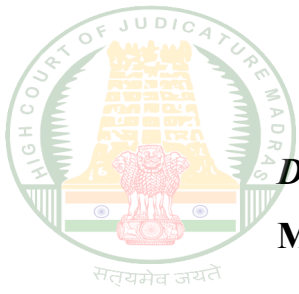
Court views the offence of theft of natural resources and its exploitation as serious offence and upon the fond hope that they would mend themselves in future and would not come under the adverse notice of the respondent, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. 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 learned **Judicial Magistrate-II, Villupuram**, 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 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 Rs.35,000/- (Rupees Thirty Five thousand only) each in favour of the 'The Chairman/District Collector, The District Mineral Foundation Trust of Villupuram**



District', (Non refundable) before the learned Judicial Magistrate-II, Villupuram.

(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;

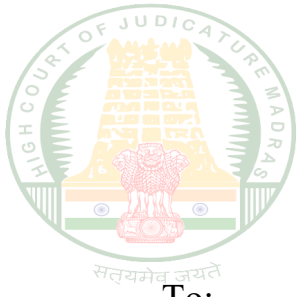
(e) The petitioners shall report before the respondent police daily at 10.30 am for a period of four weeks and thereafter, as and when required for interrogation.

(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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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

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1. Judicial Magistrate-II, Villupuram.

2. The Inspector of Police,
SHO, Kandachipuram police station,
Villupuram district.

3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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