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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31125 of 2026

P.Nareshkumar

..Petitioner-A2

Vs

State rep by The Inspector of Police
Achirapakkam Police Station
Chengalpattu District
Crime No. 451 of 2026.

..Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in the event of his arrest in Crime No. 451 of 2026 on the file of the respondent police.

For Petitioner(s): Mr.Punniakoti Ganesan
For Respondent(s): Mr.R.Rajasekaran
Counsel for Government of Tamil Nadu (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 5 of the Explosives Substances Act, 1908 and 25(1A) of the Arms Act, 1959 in Crime No. 451 of 2026 on the file of the respondent police seeks anticipatory bail.

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2. The allegation against the petitioner is that the petitioner, along with other accused, transported six units rough stones using bearing Registration No.TN-91-P-7311 without any valid permission from the government. Hence the case.

2. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. 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, upon instructions, submitted that if anticipatory bail is granted to the petitioner, he would indulge similar activities in the future. Therefore, he opposed to grant anticipatory bail to the petitioner.

5.Considering the nature of allegations, and he is voluntarily come forward to deposit a sum of Rs.1,10,000/- (Rupees One Lakh Ten Thousand Only), 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 (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate**

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No.II, Madhuranthagam, 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 is directed to produce a Demand Draft for a sum of Rs.1,10,000/- (Rupees One Lakh Ten Thousand Only) in favour of "The Chairman/District Collector, The District Mineral Foundation Trust of Chengalpattu District", (Non Refundable) before the learned Judicial Magistrate No.II, Madhuranthagam;

(d) On production of the above Demand Draft, the learned Judicial Magistrate No.II, Madhuranthagam, is directed to take necessary steps to hand over the same to the District Collector, Chengalpattu. Upon receipt of the said amount, the District Collector shall realize and utilize 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;

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(e) that the petitioner shall report before the respondent Police, daily at 10.30 a.m. for a period of two 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.

28.10.2026

MSM

To
1.The Judicial Magistrate No.II, Madhuranthagam.
2.The Public Prosecutor, High Court, Madras.
3.The Inspector of Police
Achirapakkam Police Station
Chengalpattu District
Crime No. 451 of 2026.

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N.RAMESH, J.

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