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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.30705 of 2026

CNR: {HCMA012560162026}

Vijayan

..Petitioner

Vs

The State Rep By, The Inspector of Police,
Tirupattur Town Police Station,
Tirupattur District.
(Crime No.292/2026)

..Respondent

PRAYER: To enlarge the petitioner on bail in the event of his arrest in Crime No.292/2026 pending investigation on the file of the respondent and thus render Justice.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.Rajasekaran,
Counsel Government of India (Crl.side).

ORDER

The petitioner has filed this application seeking anticipatory bail apprehending arrest at the hands of the respondent police for the alleged offences under **Sections 303(2) and 326(a) of the Bharatiya Nyaya Sanhita (BNS), 2023 read with Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957** (corresponding to Sections 379 and 430 of the Indian Penal Code) in Crime No.292 of 2026 on the file of the respondent police.

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2. The case of the prosecution is that the petitioner was found transporting 15 tonnes of jalli stones in a lorry without valid transit permits or lawful authority. Hence the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner possesses a valid license as well as a valid transit permit for transporting the said jalli stones. The learned counsel has also produced both documents before this Court for verification to substantiate his claim. He adds that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police acknowledged the production of the documents and verified the validity of the license and transit permit produced by the petitioner.

5. This Court has carefully considered the rival submissions and perused the case diary along with the documents produced by the petitioner.

6. In view of the fact that the petitioner has produced a valid license and transit permit for the transportation of the 15 tonnes of jalli stones, which has also been duly verified and acknowledged by the learned Government Advocate

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(Criminal Side), this Court is inclined to grant the relief of anticipatory bail to the petitioner.

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 No.1, Tirupattur,** on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty 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 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 A.M., for a period of two weeks and thereafter as and when required for interrogation

(d) The petitioner/accused is directed to produce a demand draft for a sum of Rs.15,000/- (Rupees Fifteen Thousand only), in favour of the 'The Chairman/District

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Collector, The District Mineral Foundation Trust of Tiruvallur District', (Non refundable) before the learned Judicial Magistrate Uthukottai

(e) 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;

(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 is 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 abscond, a fresh FIR can be registered under Section 269 of BNS Act.

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To

1. The Judicial Magistrate No.1, Tirupattur.

2. The Inspector of Police,
   Tirupattur Town Police Station,
   Tirupattur District.

3. The Public Prosecutor,
   Madras High Court.

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N.RAMESH, J.

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