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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30767 of 2026

CNR: {HCMA012561722026}

Balasubramani

..Petitioner(s)

Vs

State by, Inspector of Police
Arakkonam Police Station,
Ranipet Distict.
Crime No.264 of 2026

..Respondent(s)

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on bail in the event of arrest by the respondent police in Crime No.264/2026 on the file of the respondent police.

For Petitioner(s): Mr. Thirumoorthy D

For Respondent(s): Mr. R.Rajasekaran Government Advocate, Criminal side.

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 326 (a) & 303(2) of BNS Act, 2023 r/w 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.264 of 2026 on the file of the respondent police seeks anticipatory bail.

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2. The prosecution case is that on 01.06.2026 the petitioner is the second accused in this case and he has illegally transported the 5 units of gravel soil in his Tipper Lorry bearing registration No.TN 20 BE 2727. Hence, this case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. He further submitted that he is the breadwinner of his family. Hence, he prays to grant anticipatory bail to the petitioner. The learned counsel for the petitioner voluntarily submitted that he undertakes to pay a sum of Rs.60,000/- as non-refundable deposit to any of the welfare scheme without prejudice to his defense.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police strongly opposed the grant of anticipatory bail to the petitioner. He submitted that the petitioner was caught red-handed while illegally transporting a total of 5 units of gravel sand without any valid transit passes or legal documents. However, on instructions, he confirmed that the vehicle and the seized sand have already been secured by the respondent police. He further submitted that if this Court is inclined to grant the relief, the petitioner may be directed to deposit the proposed non-refundable amount to the

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credit of the concerned District Mineral Foundation Trust.

5. I have given my anxious consideration to either side submissions.

6. From the submission made by the learned Government Advocate (Criminal Side) and the learned counsel for the petitioner, 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 and also considering the fact that the petitioner has no criminal antecedents, 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 No.I, Arakkonam** on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only),** with **two sureties,** 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

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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 identity proofs to ensure their identity;

(c) **The petitioner is directed to produce a demand draft for a sum of Rs.60,000/- (Rupees Sixty Thousand only), in favour of the 'The Chairman/District Collector, The District Mineral Foundation Trust of Ranipet District', (non refundable) before the learned Judicial Magistrate No.I, Arakkonam;**

(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 petitioner shall report before the respondent police daily at 10.30 am for a period of two 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 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];***

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(g) If the petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS Act.

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GBI

To
1. The Judicial Magistrate No.I,
Arakkonam.

2.The Inspector of Police
Arakkonam Police Station,
Ranipet Distict.

3. The Public Prosecutor
High Court of Madras.

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N.RAMESH, J.

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