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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. 31020 of 2026

CNR:{HCMA012566042026}

1. Govindan
   S/o Ganesan

2. Loganathan
   S/o Palaniyappan

3. TATA Birla
   S/o Anandhan Perumal

..Petitioner(s)

Vs

The State Rep. By,
The Inspector of Police
Macdonald Choultry Police Station,
Salem District.
Crime No.369 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on Anticipatory Bail in the event of his arrest pending investigation in Cr.No.369 of 2026 on the file of the Respondent.

For Petitioner(s): Mr.T Muruganantham

For Respondent(s): Mr. R.Rajasekaran
Counsel for Government of Tamil Nadu
(Criminal Side)

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The petitioners apprehend arrest for the alleged offences under Sections 21(1) of MMDR Act r/w 303 (2) of BNS Act (Sec 379 of IPC) in Crime No.369 of 2026 on the file of the respondent police seek anticipatory bail.

2. The allegation against the petitioners is that they illegally transported three units of gravel sand in each of the trucks bearing Reg No.TN28 BJ 2387, KA 05 AD 5171 and TN04 E 2499 without obtaining permission from the competent authorities. Hence, the present petition for anticipatory bail.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and a false case has been foisted against the petitioners and that they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and opposed to grant anticipatory bail to the petitioners.

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

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6. From the submission made by the learned Government Advocate (Crl.Side) and the learned counsel for the petitioners, though, this Court views the offence of theft of natural resources and its exploitation as serious offence, and upon the fond hope that the petitioners would mend themselves in future and would not come under the adverse notice of the respondent, this Court is inclined to enlarge them on anticipatory bail, 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 (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.2, Sangiri** on condition that **the petitioners shall execute a separate 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 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 slip (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;

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(c) **The petitioners/accused are directed to produce a demand draft for a sum of Rs.2,40,000/- (Rupees Two lakh Forty thousand only) in favour of the '*The Chairman/District Collector, The District Mineral Foundation Trust of Salem District', (Non refundable) before the learnedJudicial Magistrate No.2, Sangiri*, Salem District*;***

(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 thereafter as and when required;**

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

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To:

1. The Judicial Magistrate No.2,
Sangiri

2. The Inspector of police,
Macdonald Choultry Police Station,
Salem District.

3. The Public Prosecutor
High Court of Madras

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