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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. 31006 of 2026

CNR: {HCMA012566302026}

Raja
S/o Arumugam

..Petitioner(s)

Vs

State Rep. by,
The Inspector of Police,
Arni Taluk Police Station,
Tiruvannamalai District.
(Crime No.457 of 2026).

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest by the Respondent Police or on his appearance before the concerned court in connection with Cr.no.457 of 2026 on the file of Inspector of Police, Arani Taluk Police Station,Tiruvannamalai District.

For Petitioner(s): Mr. S. Kalaikumar

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

O R D E R

The petitioner apprehends arrest for the alleged offences under Sections 303(2), 326(a) of BNS r/w 21(1) Mines and Minerals Act in Crime No.457 of 2026 on the file of the respondent police seeks anticipatory bail.

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2. The allegation against the petitioner is that he had illegally transported ¼ unit of river sand by using a bullock cart without obtaining permission from the competent authorities. Hence, the present petition for anticipatory bail.

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

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that no previous case has been registered against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

6. From the submission made by the learned Government Advocate (Crl.Side) it is seen that the petitioner has no bad antecedents. Though, this

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Court views the offence of theft of natural resources and its exploitation as serious offence, and upon the fond hope that the petitioner would mend himself in future and would not come under the adverse notice of the respondent, 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, Arni** 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 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;

(c) **The petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and**

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thereafter as and when required;

(d) 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];***

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

23-10-2026

AT

To:

1. The Judicial Magistrate,
Arni.

2. The Inspector of Police,
Arni Taluk Police Station,
Tiruvannamalai District.

3. The Public Prosecutor
High Court of Madras

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N.RAMESH, J.

AT

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