WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31395 of 2026

CNR: {HCMA012572612026}

Arunkumar
S/o Kumaresan,
No. 184, Gandhi Nagar,
Kothur Village, Natrampalli Taluk,
Tirupathur District

..Petitioner(s)

Vs

The State Represented by The Inspector of Police
Thimmampet Police Station,
Thirupathur District.
Crime No.157 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS praying to enlarge the Petitioner/Accused on Anticipatory Bail in the event of his arrest in Crime No.157 of 2026 pending investigation on file of the Respondent polic e(Thimmampet Police Station, Tirupathur District) and thus render Justice.

For Petitioner(s): Mr.Magesh Kumar

For Respondent(s): Mr.R.Rajasekaran
Counsel for Government (Crl. Side)

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 303(2) and 326(a) of BNS, 2023 , in Crime No.157 of 2026, on the file of the respondent police and seeks anticipatory bail.

https://www.mhc.tn.gov.in/judis

WEB COPY

2. The allegation against the petitioner is that the petitioner had illegally transported 1½ units of river sand in a lorry 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 an innocent person 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. 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.25,000/- as non-refundable deposit to any of the welfare scheme without prejudice to his defence.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioner had illegally transported 1½ units of river sand in a lorry. Hence he opposed to grant anticipatory bail to the petitioner.

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

https://www.mhc.tn.gov.in/judis

WEB COPY

6. From the submission made by the learned Government Advocate (Crl.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 themselves 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, Vaniyambadi, Tirupathur** on condition that **each of 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 fail 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

https://www.mhc.tn.gov.in/judis

WEB COPY

learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioner/accused are directed to produce a demand draft for a sum of Rs.25,000 Rupees Twenty Five Thousand only), in favour of the 'The Chairman/District Collector, The District Mineral Foundation Trust of Tirupathur District', (Non refundable) before the learned Judicial Magistrate, Vaniyambadi, Tirupathur.**

(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 four 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 are 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];***

https://www.mhc.tn.gov.in/judis

WEB COPY

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

30-10-2026

SMA

To

1. Judicial Magistrate, Vaniyambadi, Tirupathur

2.The Inspector of Police
Thimmampet Police Station,
Thirupathur District.

3. The Public Prosecutor,
Madras High Court.

https://www.mhc.tn.gov.in/judis

WEB COPY

N.RAMESH, J.

SMA

CRL OP No. 31395 of 2026

30-10-2026

https://www.mhc.tn.gov.in/judis