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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31931 of 2026

CNR: {HCMA012626812026}

Velayutham

Case QR

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police
Thiruvalangadu Police Station,
Tiruvallur District.
(Cr.No.132/2026)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioner on bail in the event of his arrest in the above Crime No.132 of 2026 on the file of Thiruvalangadu Police Station, Tiruvallur and pass such further or other orders.

For Petitioner(s): G.Nirmala
For Respondent(s): Mr.R.Rajasekaran, Govt.Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 303(2) of BNS Act 2023 read with 21(1) of MMDR Act in Crime No. 132 of 2026 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 1 unit of Belt sand by using a tractor 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 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.35,000/- 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 vehemently opposed the grant of anticipatory bail to the petitioner. Upon instructions, he reiterated the prosecution case and submitted that the petitioner had illegally transported 1 unit of belt sand by using a tractor and he has no previous case.

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

6. From the submission made by the learned Government Advocate (Crl.Side) and the learned counsel for the petitioner, though, this Court views

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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, 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, Thiruttani,** 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 identity proofs to ensure their identity;

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(c) **The petitioner is directed to produce a demand draft for a sum of Rs.35,000/- (Rupees Thirty Five Thousand only), in favour of the 'The Chairman/District Collector, The District Mineral Foundation Trust of Tiruvallur District', (Non refundable) before the learned Judicial Magistrate, Thiruttani;**

(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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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];***

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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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To

1. The Judicial Magistrate, Thiruttani.

2. The Inspector of Police
Thiruvalangadu Police Station,
Tiruvallur District.
(Cr.No.132/2026)

3. The Public Prosecutor, High Court of Madras.

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N.RAMESH, J.

MPA

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