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CRL OP No. 11523 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 11523 of 2026

Vadamalai

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Peranamallur Police Station,
Tiruvannamalai.
Crime No.191 of 2025.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, 2023, praying to enlarge the petitioner on bail in the event of his arrest by the respondent police concerned in Crime No.191 of 2025 on the file of the Inspector of Police, Peranamallur Police Station, Tiruvannamalai.

For Petitioner(s):

Mr.C Pushparaj

For Respondent(s):

Mr.S.Balaji

Government Advocate (Crl. Side)

ORDER

The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 303(2) and 326(a) of the Bharatiya Nyaya Sanhita (BNS) 2023, read with Section 21(5) of the Mines and Minerals (Development and Regulation) Act, 1957, in connection with Cr. No. 191 of 2025, seeks anticipatory bail.



2.The case of the prosecution is that on 05.09.2025, the de-facto complainant, who is the Inspector of Police, received secret information regarding illegal sand mining. Based on the information, the police party conducted a raid and found certain persons illegally transporting 1/4 unit of river sand using a bullock cart without any valid permit or license. Hence, the case.

3.The learned counsel for the petitioner would contend that the petitioner is innocent and has been falsely implicated in this case without any material or basis. He submits that the alleged occurrence took place on 05.09.2025, the quantity involved is minimal (1/4 unit of river sand), and the bullock cart has already been secured. He further submits that this is the second anticipatory bail application, as the earlier application in Crl. O.P. No. 30194 of 2025 was dismissed by this Court on 06.11.2025. While acknowledging that there are two previous cases pending against the petitioner, the learned counsel points out that the petitioner has already been granted bail in both cases by the concerned courts. He adds that the petitioner is a law-abiding citizen and is ready to cooperate with the investigation. Hence, he prays for the grant of anticipatory bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police strongly opposed the grant of anticipatory bail, highlighting



that the petitioner is a repeat offender with two previous cases of similar nature pending against him. He submits that illegal sand mining causes severe depletion of natural resources and ecological damage. He, however, confirms that the quantity of river sand seized is 1/4 unit and that the petitioner has been granted bail in the previous two cases.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, the nature of the offences, and the fact that the quantity of river sand involved is minimal (1/4 unit) and has already been seized, and taking note of the fact that although there are two previous cases pending against the petitioner, he has already been enlarged on bail in both matters by the concerned courts, I am inclined to grant anticipatory bail to the petitioner by imposing regular reporting conditions to ensure his cooperation with the ongoing investigation.

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 days from the date on which the order copy made ready, before the learned Judicial Magistrate, Cheyyar, Tiruvannamalai District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and



on further condition that:

[a] the petitioner shall report before the respondent police every Saturday at 10.30 a.m. for a period of four weeks, and thereafter as and when required for investigation.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S. 2023.

13-05-2026

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate, Cheyyar,
Tiruvannamalai District

2. The Inspector of Police
Peranamallur Police Station,
Tiruvannamalai.

3. The Public Prosecutor,
Madras High Court,
Chennai.



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P.DHANABAL, J.

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