



IN THE HIGH COURT OF JUDICATURE AT MADRAS



DATED: 06-01-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 35699 of 2025

1.Elanchelian
2.Soukar Basha

..Petitioner(s)

Vs

State by,
The Inspector of Police
Bargur Police Station,
Krishnagiri District.
Cr.No.583/2025.

..Respondent(s)

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on Anticipatory bail in the event of his arrest, pending investigation in Cr.No.583/2025, on the file of the respondent police.

For Petitioner(s):

Mr.P.M.Jayachandran

For Respondent(s):

Ms.J.R.Archana,

Government Advocate (Crl.Side)

Order

The petitioners, who apprehend arrest at the hands of the respondent police for the offence under Sections 303(2) of BNS Act r/w Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.583 of 2025, on the file of the respondent Police, seeks anticipatory bail.



2. The allegations against the petitioners is that they were involved in transportation of minerals in excess of the permitted limit granted by the concerned department, pursuant to which the present complaint came to be lodged.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and they are not committed any such offence as alleged by the prosecution. He further submitted that the petitioners have no previous cases and are ready to abide by any conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and submitted that the property was recovered from the petitioners and that they have no previous cases pending against them. Hence, he opposed the grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either side, the fact that the property was recovered from the petitioners and that they have no previous cases pending against them, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial*



Magistrate No.I, Krishnagiri on condition that the petitioners shall execute

separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand Only), each with two sureties, each for a like sum to the satisfaction of the respondent police

or the police officer who intends to arrest or to the satisfaction of the learned

Magistrate concerned and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police, daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

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

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

DRL

06-01-2026



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To

1.The Judicial Magistrate No.I,
Krishnagiri.

2.The Public Prosecutor,
High Court, Madras.

3. The Inspector of Police
Bargur Police Station,
Krishnagiri District.



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K.RAJASEKAR



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