

Rajesh Vs State Represented by The Inspector of Police/SHO

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Court : Chennai

Decided On : Mar-26-2026

Judge : Honourable Mr.Justice C.Kumarappan

Appeal No. : /7760/2026

Appellant : Rajesh

Respondent : State Represented by The Inspector of Police/SHO

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

1. Rajesh

2. Radhakrishnan

3. Velankumar

4. Nakkeeran

5. Selvam

6. Ravichandran

7. Arul ..Petitioners Vs State Represented by The Inspector of Police/SHO
Annamalai Nagar Police Station, Cuddalore District. Crime No. 211/2025.
..Respondent

Prayer: Criminal Original Petition filed under section 482 of BNSS to enlarge the petitioners on an anticipatory bail in the event of their arrest in Crime No. Station, Cuddalore. For Petitioner: Mr.K.V.Sridharan For Respondent: Mr.P.Dhileepan Government Advocate (Crl.Side)

ORDER

The petitioners apprehends arrest for the alleged offence under Sections 326(a), 303(2) of BNS 2023 r/w Sec.21(1) of Mines and Minerals Page1 of 5 (Development and Regulation) Act, 1957 in Crime No.211 of 2025 on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioners is that the petitioners were

involved in illegal transportation of 3 units of sand without any valid permit or licence and that the petitioners were caught red handed by the respondent police. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners

were innocent and that he has been falsely implicated in this case. He further submitted that they are ready to abide by any stringent condition that may be imposed by this Court and they are ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the

respondent police reiterated the prosecution case and, upon instructions, submitted that no previous cases have been registered against the petitioners.

However, he opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to the submissions made by the

learned counsel on either side and perused the materials available on record. Page2 of 5 6. From the submission made by the learned Government Advocate (Criminal Side) it is seen that the petitioners have no bad antecedents. Though, this Court views the offence of theft of natural resources and its exploitation as serious offence, taking into consideration of the fact that petitioners have no previous cases, 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 petitioners are ordered to be released on anticipatory

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 made ready, before the learned Judicial Magistrate No.1, Chidambaram, on condition that the petitioner shall execute a separate 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 petitioners 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 ship (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; Page3 of 5

(c) The petitioners are directed to make a non-

refundable deposit of Rs.10,000/- [Rupees Ten Thousand Only] each directly to the credit of Tamil Nadu State Legal Services Authority, High Court Campus, Chennai, without prejudice to the right of the defence before the Trial Court and

the receipt shall be produced at the time of executing the bond;

(d) The petitioners shall report before the respondent police daily at 10.30 am and 5.30 pm for a period of two months; thereafter as and when required;

(e) 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 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];

(f) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act. 26-03-2026 SHL To:

1. The Judicial Magistrate No.1, Chidambaram

2. The Inspector of Police/SHO Annamalai Nagar Police Station, Cuddalore District.

3. The Public Prosecutor High Court of Madras Page4 of 5 C.KUMARAPPAN J. SHL 26-03-2026 Page5 of 5

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