

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE AT TIRUVALLUR

Present: Dr. J. JULIET PUSHPA, Ph.D. (Law)

Principal District and Sessions Judge, Tiruvallur

Wednesday, the 8th day of April, 2026

CrI.M.P.No:945/2026

P. Santhakumar , S/o Panaiyan

...Petitioners/Accused

//Versus//

State Rep. by the Inspector of Police,
Pullarambakkam Police station
(Crime No: 166/2025)

.....Respondent/Complainant

Petition dated: 04.03.2026 u/s 482of BNSS praying to grant anticipatory bail to the petitioners

This petition coming on this day for hearing before me having the petition filed by the petitioners Counsel M/s R. Vinothkumar, D. Prasanna Kumar, A. Divya Bharathi, K. Barani, the respondent police through the Public Prosecutor, and upon hearing the arguments of both sides, perusing the reply of the Public Prosecutor for the State/Respondent and perusing the records and material and hearing both sides, this court made the following:-

ORDER

Heard arguments of both side. Records perused. Petition filed u/s 482 of BNSS seeking to grant anticipatory bail to the petitioners who apprehend arrest in Crime No.166/2025 on the file of Pullarambakkam police station registered for the offence u/s 303(2), 326(a) of BNS.

The learned counsel for the petitioner argued that, petitioner are innocent, he has not committed any offence as alleged by the respondent police, only for statistical purpose, the case has been registered the petitioner is neither the driver nor the owner of the vehicle, he has been falsely implicated in the case, nothing was seized from the petitioner, co-accused was already arrested and released on bail, all the properties have already been seized, the petitioner has no bad antecedents, he is ready to cooperate for investigation and will abide by any condition, therefore prayed for granting the anticipatory bail.

Notice given to concerned police and reply received. The learned Public prosecutor argued that on 06.11.2025 at about 3.00 AM, when the respondent police was on routine check-up near Ramathandalam Village at about 4 AM, the petitioner along with another accused were driving Bolero Pick up bearing Reg.No. TN73BZ8961, carrying river sand of 1/4 unit without any licence or permit from the Government, thereby caused damage to the water resources , thus A1, was arrested, the petitioner escaped and investigation is pending.

The petitioner states in this petition /affidavit that there is no similar bail petition is pending before any other Court including Hon'ble High Court, Madras and the respondent has also not stated as to pending of any bail petition before Hon'ble High Court, Madras in this case. Hence, this Court considers that there is no impediment to entertain this petition and pass orders on merits.

The petitioner is one of the prime accused/A2. As per the reply of the learned Public Prosecutor, investigation is still pending

Therefore, on considering

- (i) grave nature of offence which is detrimental to the environment
 - (ii) investigation is still pending
 - (iii) serious accusation of offence as against the petitioner u/s 303(2) of BNS
 - (iv) that the petitioner who seeks anticipatory bail cannot claim parity with the arrested and released accused.
- (i) and also considering other facts and circumstances,
this Court is not inclined to grant anticipatory bail to the petitioner.

In the result, this petition is dismissed.

Dictated to the Shorthand Writer and Pronounced by me in Open Court on this 8th day of April, 2026

**Principal District and Sessions Judge,
Tiruvallur**

Copy to

The Petitioner's Advocate M/s R. Vinothkumar
Thiru. S.Murthy, Public Prosecutor for the State
The Judicial Magistrate No.I, Tiruvallur
The Inspector of police, Pullarambakkam police Station