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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09.02.2026**

CORAM :

**THE HON'BLE MR. JUSTICE K. RAJASEKAR**

**Crl.O.P.No.2633 of 2026**

Sundar @ Sundar Mani

... Petitioner

-VS-

State Rep by,  
The Inspector of Police,  
Ariyoor Police Station,  
Vellore.  
(Crime No.03 of 2026)

... Respondent

**Prayer:-** Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.03 of 2026 on the file of the respondent police.

For Petitioner : Mr.P.Arul Gnanaprakash

For Respondent : Mr.A.Gopinath  
Government Advocate (Crl. Side)

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**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 08.01.2026 for the offences punishable under Section 303(2), 326(a) of BNS, 2023 in Crime No.03 of 2026, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that, by using the transit permit issued to vehicle bearing Registration No. TN 57 AM 1303, he transported silica sand in another vehicle bearing Registration No. TN 32 AE 1056. The said vehicle was intercepted and, on verification, it was found that the transit pass issued for another vehicle had been used to transport 25 tons of silica sand illegally. Hence, a case has been registered and the petitioner was arrested.

3. The learned counsel appearing for the petitioner submitted that the original transit pass was issued to vehicle No. TN 57 AM 1303 and that the silica sand was initially transported in the said vehicle. However, due to a mechanical breakdown, the sand was shifted to another vehicle. While being transported in another vehicle, it was intercepted by the respondent police and the present case was registered. He further submitted that the petitioner is in judicial custody since 08.01.2026 and that he is ready to co-operate with the investigation. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that it is not a case of ordinary sand, but it is silica sand, which is classified as a special mineral. She further submitted that, with an intention to cheat the Government and evade payment of royalty, the petitioner had illegally quarried and transported the silica sand. He further submitted that huge quantity of 25 tons of silica sand was seized and that the investigation is still pending. Hence, he opposed to



grant bail to the petitioner.

5. This Court on perusal of the records and other connected materials, finds that the vehicle in which the silica sand was being transported at the time of interception did not possess a valid transit permit. Though it is stated that the original vehicle had broke down and that the sand was shifted to another vehicle, no material has been produced to substantiate the same and since the vehicle was carrying huge quantity of 25 tons of silica sand without valid permit and it is a clear case of illegal quarrying and transportation of huge quantity of sand, therefore, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

**09.02.2026**

*drl*

**To**

1.The Inspector of Police,  
Ariyoor Police Station,  
Vellore.

2.The Public Prosecutor,  
High Court, Madras.



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**K. RAJASEKAR, J.**

drl

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