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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2026

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.3421 of 2026

S. Mani

... Petitioner

Vs.

The State by
The Inspector of Police,
Poolampatty Police Station,
Salem District
(Cr.No.39 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in
Cr.No.39 of 2026 pending investigation on the file of the respondent police.

For Petitioner : Mr.A. Saravanan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
30.01.2026 for the alleged offence under Sections 21(1) of Mines &
Minerals (Development & Regulation) Act, 195 and Section 303(2) of BNS
Act, 2023 on the file of the respondent police seeks bail.



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2. The case of the prosecution is that when the respondent police is on regular check up they found that the petitioner has transported 3 units of red soil. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is in no way connected with the offence and he has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 30.01.2026 and ready to co-operate with the investigation and abide by any other stringent conditions that may be imposed by this Court. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has transported 3 units of red soil and they have intercepted the vehicle and seized the red soil. He further submitted that there is no previous cases pending against the petitioner. However, he opposed to grant bail to the petitioner.

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



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6. Considering the submissions made by both sides; quantity of involved in this case; there is no previous case pending against the petitioner; period of incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned District Munsif Cum Judicial Magistrate, Edappadi** and on further conditions that:

[a] 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 the identity proofs to ensure their identity;

[b] **the petitioner shall report the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when and required for interrogation;**

[c] On breach of any of the aforementioned



conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[d] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

12.02.2026

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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.



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To

1. The **District Munsif Cum Judicial Magistrate, Edappadi**
2. The Inspector of Police,
Poolampatty Police Station,
Salem District
3. The Sub Jail, Sakari, Salem
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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