



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.3961 of 2026

Vijayakumar

... Petitioner/A2

-VS-

The State of Tamil Nadu,
Rep.by The Inspector of Police,
Natrampalli Police Station,
Tirupathur District.
(Crime No.45 of 2026)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.45 of 2026 pending investigation on the file of the respondent.

For Petitioner : Mr.E.Kannadasan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.01.2026 for the alleged offences punishable under Sections 281, 106(1), 303(2), 326(a) of BNS and Section 21(1) of Mines and Minerals (Development and Regulation) Act, in Crime No.45 of 2026, registered on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner was illegally transporting sand. It is alleged that the petitioner has driven the vehicle in rash and negligent manner and caused accident, due to which, the son of the de-facto complainant sustained grievous injuries and succumbed to the injuries. Hence, a case has been registered and the petitioner was arrested.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case. He further submitted that this Court has granted anticipatory bail to the co-accused in CrI.O.P.No.3807 of 2026, on 17.02.2026. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the prosecution case the petitioner was illegally transporting sand. It is alleged that the petitioner has driven the vehicle in rash and negligent manner and caused accident, due to which, the son of the de-facto complainant sustained grievous injuries and succumbed to the injuries. Hence, he opposed the grant of bail to the petitioner.

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

6. Considering the submissions made by the learned counsel on either side, the nature of the allegations, considering the period of his incarceration and this Court has granted anticipatory bail to the co-accused in CrI.O.P.No.3807 of 2026, on 17.02.2026, this Court is inclined to grant bail to the petitioner, subject to certain conditions.



7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each, for a like sum to the satisfaction of the learned

Judicial Magistrate No.III, Tirupathur, and on further conditions 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 petitioner 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 petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness 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 petitioner in accordance with law as if the 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)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR

can be registered under Section 269 B.N.S.

23.02.2026

nvi

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.

To

- 1.The Judicial Magistrate No.III, Tirupathur
- 2.The Inspector of Police,
Natrampalli Police Station,
Tirupathur District.
- 3.The Superintendent,
Sub-Jail, Tirupathur.
- 4.The Public Prosecutor,
High Court, Madras.



WEB COPY



K. RAJASEKAR, J.

nvi

Crl.O.P.No.3961 of 2026

23.02.2026