



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 3881 of 2026

Sivarajan

..Petitioner(s)

Vs

The State represented by

The Inspector of Police,

Voimedu Police station,

Vedaranyam Taluka

Nagapattinam District

Cr.No.30 of 2026.

..Respondent(s)

Prayer: This petition is filed under Section 482 of BNSS To enlarge the petitioners on bail in the event of his arrest by the respondent police in Cr.No.30 of 2026 on the file of the respondent police.

For Petitioner: Mr.R. Prabhakaran



For Respondent(s): Ms.J.R. Archana, Government Advocate (Crl.Side)

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ORDER

The petitioner, who apprehend arrest for the alleged offence under Sections 303 of BNSS,2023 r/w Section 21(1) of Mines and Minerals (Development & Regulation) Act,1957 in Crime No.30 of 2026, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner has transported 10 loads of river sand and illegally stored in his patta land. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has taken the land for the purpose of levelling his land and the sand was taken from his own land it is not a case of transporting river sand illegally. He further submitted that the petitioner has been falsely implicated in this case and ready to co-operate with the investigation and abide by any other stringent conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the



petitioner has transported 10 loads of river sand illegally and stored it in his patta land. Hence, he opposed to grant anticipatory bail to the petitioner.

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

6. Considering the facts and circumstances of the case and the submissions made by both counsel; this is not a case of illegal transporting of river sand and it is a case of non possession of transit pass, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on 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, before the learned **Judicial cum Magistrate Court, Vedaranyam** on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioner fails to surrender before the concerned 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;

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(c) **The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]***;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

smn

To.

1. The **Judicial cum Magistrate Court, Vedaranyam**

2. The Inspector of Police,

Voimedu Police station, Vedaranyam Taluka Nagapattinam District

3. The Public Prosecutor,

High Court of Madras Chennai 600 104.



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K.RAJASEKAR, J.

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