



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2026

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THE HON'BLE MR. JUSTICE C.KUMARAPPAN

CRL OP No. 15478 of 2026

Vasudevan

..Petitioner(s)

Vs

The State Rep by
Inspector of Police
Poraiyar Police Station,
Mayiladuthurai District.
Crime No.222 of 2026

..Respondent(s)

Prayer: Criminal Original Petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the bail to the Petitioner in Crime No.222 of 2026 on the file of the Respondent Police.

For Petitioner(s):

Mr.K.Prasath

For Respondent(s):

Mr.S.Yogaraja Sekar
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.05.2026 for the alleged offence punishable under Section 303(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, read with Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.222 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that while the respondent police were on patrol duty, they caught the petitioner, who had allegedly committed illegal theft of sand and unauthorized transportation of 6 units of sea sand using a Bharat Benz tipper lorry. Pursuant to the investigation, the petitioner was arrested and remanded in judicial custody. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in the above-said case. He further submits that the petitioner has been in continuous incarceration since 27.05.2026. He also submits that the petitioner will abide by any condition imposed by this Court and, therefore, prays for the grant of bail to the petitioner.

4. The learned Government Counsel (Criminal Side) appearing for the respondent police opposes the grant of bail to the petitioner and reiterates the case of the prosecution. He states that the petitioner was involved in the illegal transportation of 6 units of sea sand using a tipper lorry. He further expresses apprehension that if the petitioner is granted bail, he may commit similar offences.



5. Taking into consideration the totality of the circumstances, the period of incarceration undergone by the petitioner since 27.05.2026 and the fact that a major portion of the investigation have already been completed at this stage, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on their 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 District Munsif-cum-Judicial Magistrate, Tharangambadi and subject to the following conditions:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Suretyship [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 before respondent Police daily at 10:30 a.m., for a period of 15 days 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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate



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action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

19-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

dpa

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, Tharangambadi.
- 2.The Superintendent, Sub Jail, Tharangambadi.
- 3.The Inspector of Police, Poraiyar Police Station, Mayiladuthurai District.
- 4.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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