



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15869 of 2026

1. Aravind
2. Sathish Kumar

..Petitioners

Vs

The State Rep By,
The Inspector of Police,
Velankanni Police Station,
Nagapattinam District.
Crime No.169/2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime No.169 of 2026 on the file of respondent police, pending investigation.

For Petitioners:	Mr.R.Sathiamoorthy for M/S. SVV Law Firm
For Respondent:	Mr.S.Yogaraja Sekar, Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.06.2026 for the alleged offences under Sections 303(2) of BNS, 2023 [Section 379 in IPC] r/w section 21(1) Mines and Minerals (Development and Regulation) Act 1957 in Crime No.169 of 2026 on the file of the respondent



police, seeks bail.

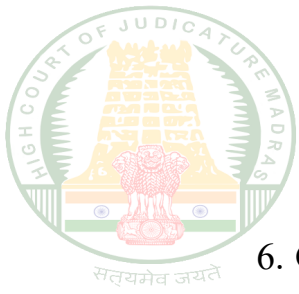
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2. The allegation against the petitioner is that the petitioner was involved in illegal transportation of clay sand without any valid permit or licence by using tractor and that the petitioner was caught red handed by the respondent police. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner taking sand from a private patta land. He further submitted that the petitioner was innocent and that he has been falsely implicated in this case. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate for investigation. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the occurrence took place on 04.06.2026 and the petitioner was arrested on 06.06.2026. He further submitted that the co-accused has already been enlarged on anticipatory bail. However, he opposed to grant bail to the petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.



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6. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side); considering the totality of the circumstances and considering the period of incarceration of the petitioner since 06.06.2026, this Court is of the firm view that for the purpose of investigation, custodial interrogation of the petitioner is not required. Hence, 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 District Munsif cum Judicial Magistrate, Kilvelur**, 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 before the respondent police daily at 10.30 a.m., for the period of four weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;



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[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 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]**;

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

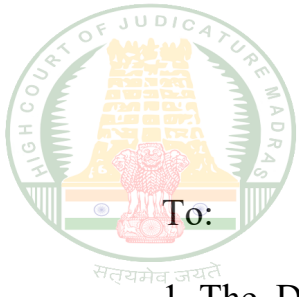
23-06-2026

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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.



To:

1. The District Munsif cum Judicial
Magistrate, Kilvelur

2. The Inspector of Police,
Velankanni Police Station,
Nagapattinam district.

3. The District Prison,
Nagapattinam

4. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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