WEB COPY

Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR. JUSTICE N.RAMESH

Crl.O.P.No.30691 of 2026

CNR: {HCMA012560232026}

Panneer Selvam ..Petitioner(s)

Vs

The State rep. by,
The Inspector of Police,
Thiruthani Police Station,
Tiruvallur District.
Crime No.541 of 2026. ..Respondent(s)

PRAYER: Criminal Original Petition is filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail pending investigation in Cr.No.541 of 2026 on the file of respondent Police.

For Petitioner(s) : Mr. D.Dayalan

For Respondent(s) : Mrs. R.S.Indira
Additional Public Prosecutor

ORDER

The petitioner/A1, who was arrested and remanded to judicial custody on 01.10.2026 for the alleged offences punishable under Sections 303(2) and 326(a) of BNS and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.541 of 2026, on the file of the respondent police, seeks regular bail.

https://www.mhc.tn.gov.in/judis

WEB COPY

2. The case of the prosecution is that the petitioner, along with another accused, was found transporting one unit of river sand in an Ashok Leyland Dost vehicle without any valid permit or license. Consequently, the present case was registered against the petitioner and another accused.

3. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He submits that the alleged contraband involved is a minuscule quantity of only one unit of river sand and the vehicle has already been secured by the authorities. He further submits that the petitioner has been incarcerated in judicial custody since 01.10.2026. Hence, the petitioner may be granted bail.

4. On the other hand, the learned Additional Public Prosecutor appearing for the respondent strongly opposes the grant of bail to the petitioner.

5. Hearing both sides and perusing the materials on record, this Court takes note of the fact that the vehicle used for the commission of the alleged offence has already been secured and the quantity involved is one unit of river sand. Considering the nature of the present offence, the quantum of the seized material, the period of custody undergone by the petitioner and the stage of the investigation, this Court is inclined to grant bail to the petitioner, but with stringent conditions to ensure his appearance and good conduct.

https://www.mhc.tn.gov.in/judis

WEB COPY

6. 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, Thiruthani,** and on further conditions that:

[a] The sureties shall affix his 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 his identity;

[b] The petitioner shall report before the respondent police daily at 10:30 a.m. until further orders;

[c] The petitioner is directed to produce a Demand Draft for a sum of Rs.10,000/- (Rupees Ten Thousand only) in favour of the '*The Chairman/District Collector, The District Mineral Foundation Trust of Tiruvallur District', (Non refundable)* before the learned Judicial Magistrate, Thiruthani;

[d] On production of the above Demand Draft, the learned Magistrate is directed to take necessary steps to hand over the same to the District Collector. Upon receipt of the said amount, the District Collector shall realize and utilize the same strictly in accordance with law and in terms of G.O.Ms.No.84, Natural Resources (MMD.1) Department, dated 16.12.2025;

[e] The petitioner shall not abscond either during investigation or trial;

[f] The petitioner shall not tamper with the evidence or witness either during investigation or trial;

https://www.mhc.tn.gov.in/judis

WEB COPY

[g] 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]; and

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

23-10-2026

Neutral Citation: Yes/No

ham

Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.

2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order, when uploaded on the official website of this Court, will be watermarked and will also have a QR code.

https://www.mhc.tn.gov.in/judis

WEB COPY

To

1. The Judicial Magistrate,
   Thiruthani.

2. The Inspector of Police,
   Thiruthani Police Station,
   Tiruvallur District.

3. The Superintendent,
   Sub Jail, Tiruvallur.

4. The Public Prosecutor,
   High Court of Madras.

https://www.mhc.tn.gov.in/judis

WEB COPY

N.RAMESH, J.

ham

Crl.O.P.No.30691 of 2026

23-10-2026

https://www.mhc.tn.gov.in/judis