WEB COPY

Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32170 of 2026

CNR: {HCMA012638712026}

Vetriselvan

Case QR

..Petitioner(s)

Vs

The State Rep. by, The Inspector of Police
Mathikonpalayam Police Station,
Dharamapuri District.
Crime No.280 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail pending investigtion in Cr.No.280 of 2026 on the file of the Respondent Police.

For Petitioner(s): Balakrishnan K
For Respondent(s): Mr.M.M.I.Khaleel, Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.10.2026 for the alleged offence under Sections 303(2) of BNS Act and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.280 of 2026 on the file of the respondent, seeks bail.

2.The allegation against the petitioner is that he had illegally transported four units of gravel sand by using a tipper lorry without obtaining permission

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

WEB COPY

from the competent authorities. Hence, the present petition for bail.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and has been falsely implicated in this case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent police vehemently opposed the grant of bail to the petitioner. Upon instructions, he reiterated the prosecution case and submitted that while the petitioner had illegally transported four units of gravel sand using a tipper lorry, he has no previous cases.

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

6. Considering the facts and circumstances of the case, and taking into account the submissions made by both sides; along with the fact that there are no adverse antecedents against the petitioner and noting his period of incarceration since 24.10.2026; this Court is inclined to enlarge the petitioner on bail, subject to stringent conditions.

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

WEB COPY

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,** for a like sum to the satisfaction of the **learned Judicial Magistrate-I, Dharmapuri,** 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/accused is directed to produce a demand draft for a sum of Rs.70,000/- (Rupees Seventy Thousand only) in favour of the '*The Chairman/District Collector, The District Mineral Foundation Trust of Dharmapuri District', (Non refundable) before the learned Judicial Magistrate-I, Dharmapuri*, at the time of executing a bond;**

(c) 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 realise and utilise 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;

(d) The petitioner shall report before the respondent

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

WEB COPY

police daily at 10.30 am for a period of four weeks;

[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;

[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];**

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

04-11-2026

MPA

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.

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

WEB COPY

To

1.The Judicial Magistrate-I, Dharmapuri.

2. The Inspector of Police
Mathikonpalayam Police Station,
Dharamapuri District.
Crime No.280 of 2026.

3.The Officer Incharge, District Jail, Dharmapuri.

4.The Public Prosecutor,
High Court, Madras.

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

WEB COPY

N.RAMESH, J.

MPA

CRL OP No. 32170 of 2026

]

04-11-2026

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