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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 33728 of 2026

CNR: {HCMA012759962026}

1. Vignesh
   S/o Sambath,
   No.559, Pillaiyar Kovil Street,
   Nadimangalam, Tiruvannamalai.

Case QR

2. Gunaseelan
   S/o Kannan,
   No.205, Pillaiyar Kovil Street,
   Sanipundi, Tiruvannamalai.

..Petitioner(s)

Vs

State Represented By,
The Inspector of Police
Vettavalam Police Station,
Tiruvannamalai District.
Crime No. 221 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No. 221 of 2026 pending on the file of respondent and thus render justice.

For Petitioner(s): Mr.S.Kalaikumar

For Respondent(s): Mr.Durai Gunasekaran,
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 03.11.2026 for the alleged offence under Sections 303(2), 326(a) of BNS r/w

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Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.221 of 2026 on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitionershad illegally transported 3 ½ units of gravel sand in a tipper lorry without any valid permit or license from the Government. Hence, the complaint

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

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioners who had illegally transported 3 ½ units of gravel sand in a tipper lorry without any valid permission. He further submitted that the petitioners have no previous cases, pending against them. Hence, he opposed to grant bail to the petitioners.

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.

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6. From the submission made by the learned Government Advocate (Criminal Side), it is seen that the petitioners have no previous cases against them. However, considering the gravity of theft and exploitation of natural resources, the period of incarceration since 03.11.2026, and in the hope that the petitioner will reform his conduct and refrain from indulging in similar activities in future, this Court is inclined to enlarge the petitioners on bail, subject to stringent conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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 District Munsif cum Judicial Magistrate at Kilpennathur,** 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 petitioners/accused is directed to produce a demand draft for a sum of Rs.40,000/- (Rupees Forty Thousand only) (each Rs.20,000/-) in favour of the '*The Chairman/District Collector, The District Mineral Foundation Trust of Tiruvannamalai District', (Non refundable) before the learned District Munsif cum***

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Judicial Magistrate at Kilpennathur, **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 petitioners shall report before the respondent police daily at 10.30 am for a period of four weeks;

[e] the petitioners shall not abscond either during investigation or trial;

[f] the petitioners 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 petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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];**

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

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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 at Kilpennathur.

2. The Inspector of Police
Vettavalam Police Station,
Tiruvannamalai District.

3.The Superintendent,
Sub Jail, Tiruvannamalai.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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