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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 33934 of 2026

CNR: {HCMA012782202026}

Jaganathan @ Rasu
S/o.Mohan,
No.285, Mariyamman Kovil Street,
Perumpugai, Pillaiyarkuppam,
Vellore District.

Case QR

..Petitioner(s)

Vs

The State Represented by the Inspector of Police
Kannamangalam Police Station,
Tiruvannamalai District.
Crime No.206 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.206 of 2026 pending investigation on the file of the respondent

For Petitioner(s): Mr.Sathiyaraj E.

For Respondent(s): Mr.M.M.I. Khaleel
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.11.2026 for the alleged offence under Sections 303(2), 326(a) of BNS Act and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 in Crime No.206 of 2026 on the file of the respondent, seeks bail.

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2. The case of the prosecution is that while the respondent police were on patrol duty, they intercepted a Lorry bearing Registration No. TN-23-AP-3438 and the petitioner, who was driving the vehicle, was found to be illegally transporting three units of river sand without a 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 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. The learned Government Advocate (Criminal Side) appearing for the respondent-police reiterated the case of the prosecution and submitted that the petitioner was driving the vehicle and was illegally transporting three units of river sand in a lorry without any valid permission. He further submitted that the petitioner is having no previous case pending against him. On these grounds, he strongly opposed the grant of bail to the petitioner.

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 petitioner has no previous case. However, considering the gravity of theft and exploitation of natural resources, the period of incarceration since 05.11.2026, 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 petitioner on bail, subject to stringent 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,** for a like sum to the satisfaction of the **learned Judicial Magistrate, Arni, Tiruvannamalai District,** 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.80,000/- (Rupees Eighty Thousand only) in favour of the '*The Chairman/District Collector, The District Mineral Foundation Trust of Tiruvannamalai District', (Non refundable) before the learned* Judicial Magistrate, Arni, Tiruvannamalai District at the time of executing a bond;**

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(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 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.

20-11-2026

DRL

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To

1.The Judicial Magistrate,
Arni, Tiruvannamalai District.

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

3.The Superintendent, Central Prison,
Vellore.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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