



CRL OP(MD). No. 7403 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Hariharan

...Petitioner/A1

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Thanjavur West Police Station,
Thanjavur District.
(Crime No.174 of 2026)

...Respondent/Complainant

For Petitioner:Mr.S.Veerapandiselvaraj
For Respondent:Mr.B.Nambi Selvan

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 174 of 2026 on the file of
the respondent police.



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ORDER : The Court made the following order :-

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The petitioner/A1, who was arrested and remanded to judicial custody on 06.04.2026 for the offences punishable under Section 303(2) of BNS, 2023, and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957, in Crime No.174 of 2026 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 02.04.2026, at about 05.45 hours, the respondent Police was on patrol duty near Vinayagar Kovil, Karanthai, at that time, it was found that the petitioner and other accused persons have illegally transported one unit of river sand by using Mahindra Bolero Pickup vehicle. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent



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and he was falsely implicated in this case and he is no way connected in the above said incident.

The petitioner has been arrested and remanded to judicial custody on 06.04.2026. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that there are 12 previous cases pending against the petitioner. Hence, he strongly opposed to grant bail to the petitioner.

5. This Court heard both sides and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side, nature of offence and the quantity of the materials involved in this case and considering the fact that though the petitioner has 12 previous cases,



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the same are not similar kind of offences and in all cases, he was released on bail and the investigation has been completed and also considering the period of incarceration undergone by the petitioner from 06.04.2026, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Thanjavur, and on further conditions that:

[b] the petitioner shall report before the Inspector of Police, Vallam Police Station, Thanjavur District, daily at 10.30 a.m., for a period of 30 days and



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thereafter as and when required for
interrogation before the respondent
Police.

[c] the petitioner shall not commit
any offence similar to the offence of
which she is accused, or suspected, or of
the commission of which she is suspected;

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

[e] the petitioner shall not directly
or indirectly make any inducement, threat
or promise to any person acquainted with
the facts of the case so as to dissuade
her from disclosing such facts to the
Court or to any police officer or tamper
with the evidence;



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[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(P D B J)

16.04.2026

vsg



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To

- 1.The learned Judicial Magistrate No.I,
Thanjavur.
- 2.The Inspector of Police,
Thanjavur West Police Station,
Thanjavur District.
- 3.The Inspector of Police,
Vallam Police Station,
Thanjavur District.
- 4.The Officer-in-Charge, Sub Jail, Thanjavur.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

vsg

ORDER
IN
CRL OP (MD) No. 7403 of 2026

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