



CRL OP(MD). No.9939 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 29/05/2026

PRESENT

The HONOURABLE MR. JUSTICE K.MURALI SHANKAR

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Arockiasamy,
S/o. Sarvarimuthu,
No. 20/379, Kezhakalam,
Muthappudaiyanpatti,
Manapparai,
Tiruchirappalli.

... Petitioner/ Accused

Vs

State of Tamilnadu Rep by
Inspector of Police,
Manapparai Police Station,
Trichy District.
(Crime No. 51 of 2026).

... Respondent/ Complainant

For Petitioner : Mr.Dhilipan Pandian R L,
Advocate.

For Respondent : Mr.D.Venkatesh,
Counsel for State of TN (Crl. side)



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PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 51 of 2026 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was formally arrested and remanded to judicial custody on 15.05.2026 for the offences punishable under Sections 189(2) and 303(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.51 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the other accused persons had illegally transported about 100 to 120 units of sand. Hence, the case.

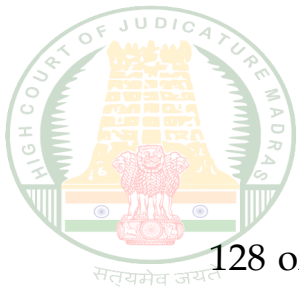
3. It is not in dispute that the petitioner was arrested in connection with another case in Crime No.128 of 2026 on the file of



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Valanadu Police Station for the offences punishable under Sections 189(2), 126(2) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 4(1) of the Tamil Nadu Prohibition (Amendment) Act, 2024 on 25.04.2026 and was remanded to judicial custody on the same day. It is also not in dispute that, based on the complaint lodged by one Muthusamy, the present FIR in Crime No.51 of 2026 came to be registered on 03.02.2026 for the offences under Sections 189(2) and 303(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957. It is further not in dispute that the petitioner had earlier approached this Court by filing Crl.O.P.(MD) No.9551 of 2026 seeking anticipatory bail and that the same was allowed on 20.05.2026.

4. The learned counsel for the petitioner would submit that when the petitioner's side produced sureties pursuant to the order granting anticipatory bail, they came to know that the petitioner, who was already in judicial custody in connection with Crime No.

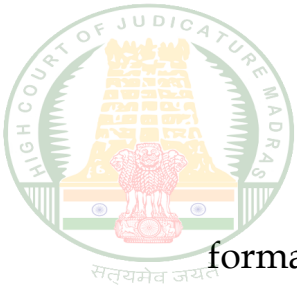


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128 of 2026, had been formally arrested in the present case also. It is on that basis that the present petition has been filed seeking regular bail.

5. The learned Counsel for the State (Criminal Side) would submit that the petitioner was formally arrested on 13.05.2026 and not on 15.05.2026.

6. It is pertinent to note that the petitioner was already in judicial custody in connection with another case. Despite having knowledge of the pendency of the bail proceedings before the Vacation Court, the respondent police did not take immediate steps to formally arrest the petitioner in the present case. The sequence of events, as reflected from the records, lends some credence to the contention of the petitioner that the formal arrest was effected only after the filing of the bail petition. Though this Court is not expressing any final opinion on the said allegation, the circumstances give rise to a reasonable apprehension that the



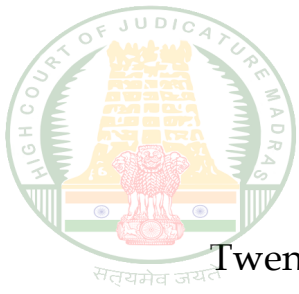
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formal arrest was resorted to with a view to ensuring the continued custody of the petitioner in the present case.

7. According to the prosecution, the petitioner had illegally transported and sold about 100 to 120 units of sand. The alleged occurrence is stated to have taken place on 17.12.2025. The learned Counsel for the State fairly admitted that no investigation has been conducted in the case so far.

8. Considering the above facts and circumstances of the case, taking note of the fact that the petitioner has already been formally arrested in the present case and also considering the order of anticipatory bail already granted in his favour in respect of the very same crime, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

9. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees



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Twenty Five Thousand only) with two sureties, each for a like sum, to the satisfaction of the learned Judicial Magistrate, Manapparai, Tiruchirappalli District.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) On breach of any of the aforesaid conditions, the learned 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].



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(K M S J)
29.05.2026

SJI

TO

- 1.The Judicial Magistrate, Manapparai, Trichy.
- 2.The Superintendent, Central Prison, Trichy.
- 3.The Inspector of Police,
Manapparai Police Station,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K.MURALI SHANKAR,J

SJI

ORDER
IN
CRL OP(MD) No.9939 of 2026

Date : 29/05/2026