



CRL OP(MD). No.10583 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 10/06/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Kangai Kannan @ Gangai Kannan

... Petitioners/Sole Accused

Vs

The State of Tamilnadu Rep By,
The Inspector of Police,
Nesamony Nagar Police Station,
Kanniyakumari District.
(In Crime No.117 of 2026).

... Respondent/Complainant

PRAYER :-

For Bail in Crime No.117 of 2026 on the file of the respondent police.

For Petitioner : B.Micheal Sebastin,
Advocate.

For Respondent : Mr.G.Ganesh Kumar,
Government Advocate (Crl.Side)

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to



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judicial custody on 21.05.2026 for the offences punishable under Sections 303(2) of BNS, 2023, and 21(1) of Mines and Minerals (Development and Regulations) Act, 1957, in Crime No.117 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 21.05.2026, at about 03.15 p.m, the Assistant Geologist, Geology and Mines Department, Nagercoil, conducted vehicle check up near Thattan Villai and found that the petitioner illegally transported 1.5 MT of red sand in a TATA ACE vehicle bearing Reg.TN-69-U-4896. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would further submit that no previous case is pending against the petitioner and he has been arrested and remanded to judicial custody on 21.05.2026. Therefore, prayed to grant bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner illegally transported 1.5 MT



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of red sand and the investigation is still pending. Hence, he strongly opposed to grant bail to the petitioner. He would further submit that no previous case is pending against 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 minerals involved in this case and no previous case is pending against the petitioner and considering the period of incarceration undergone by the petitioner, 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 **Judicial Magistrate No.2, Nagercoil, Kanyakumari District**, and on further conditions that:



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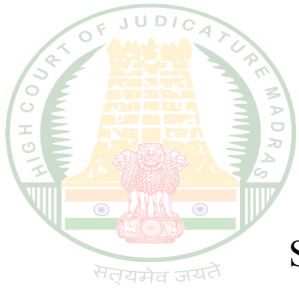
[b] the petitioner shall report before **the respondent police daily at 10.30 a.m., for a period of 30 days and thereafter, as and when required for interrogation.**

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

[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.



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State of Kerala [(2005)AIR SCW 5560].

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

(P D B J)
10.06.2026

dss

To

- 1.The Judicial Magistrate No.2, Nagercoil, Kanyakumari District.
- 2.The Inspector of Police,
Nesamony Nagar Police Station, Kanniyakumari District.
3. The Superintendent, District Jail, Nagercoil, Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

DSS

ORDER
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