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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23-10-2026

CORAM

THE HON'BLE DR. JUSTICE P. MURUGAN

CRL OP(MD) No. 24264 of 2026

CNR:{HCMD011531672026}

1. Jagan
   S/o.Thangaraj,
   No. 8/164, Amarawathi Nagar,
   Andankovil East,
   Andankovil,
   Karur District.

2. Palusamy
   S/o.Natrayan,
   No. 384, Andankovil Pudur,
   Andankovil East,
   Andankovil,
   Karur District.

..Petitioners/Accused No. 1 & 2

Vs

State Of Tamilnadu Rep By Inspector Of Police,
Karur Town Police Station,
Karur district.
Crime No. 639/2026

..Respondent

PRAYER: Criminal Original Petition is filed under Section 483 of BNSS, 2023, to enlarge the petitioners on bail pending investigation in Crime No. 639 of 2026 on the fiie of the respondent.

For Petitioners : Mr.J. Senthil Kumaraiah

For Respondent : Mr.N.Balasubramanian
Government Advocate
(Criminal Side)

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ORDER

The petitioners / A1 & A2, who were arrested and remanded to judicial custody on 13.10.2026 for the offences punishable under Section 303(2) of BNS Act r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.639 of 2026, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners along with other accused had illegally transported 1 unit of river sand. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are an innocent and they have been falsely implicated in this case. In this case, he would further submit that the petitioners, without prejudice to their rights, is ready to deposit the amount that may be imposed by this Court.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioners and 2 other accused persons had transported 1 unit of river sand illegally. He would further submit that the petitioners have no previous criminal antecedents and is not involved in any other cases of similar nature.

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5. Considering the above and also the nature of the charges leveled against the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/-(Rupees Ten Thousand only)** each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Karur, and on further condition that:

[a]the petitioners shall deposit a sum of **Rs.5,000/- (Rupees Five Thousand only) each** to the credit of the District Mineral Foundation Trust, Karur District, which is **non refundable,** without prejudice to his rights and contentions before the trial Court. The petitioners shall execute the sureties on showing the receipt of the said amount;

[b]the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[c] On execution of the surety, the accused are directed to appear before the ***learned Judicial Magistrate No.I, karur District***, for 15 working days at 10.30 am. Thereafter, the accused shall appear before the said Court on every Wednesday at 10.30 am for a period of 10 weeks;

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[d]In the event that the accused are unable to appear before the said Court, the counsel for the accused may file accused absence petition on behalf of the accused under Section 355 of BNSS, and the same may be considered by the Court;

[e] In the event that neither the accused appear nor their counsel file any such accused absent petition, the Court has to issue a Non Bailable Warrant against the accused and secure them and commit them to custody**;**

[f] If the accused thereafter absconds, a fresh FIR shall be registered under Section 269 BNS, 2023;

[g]If the investigating agency requires the presence of the accused, after the execution of the bail bond, the Investigating Officer has to issue a summons to the accused for interrogation. However, the interrogation should not amount to harassment of the accused. The issuance of the summons to the accused and the interrogation of the accused should be reflected in the CD file as well as in the General Diary. The said exercise shall be done by the Investigating Officer at once or twice during the daytime. Once the purpose of the interrogation is over, the accused shall be sent out from the police station without any further delay;

[h] On compliance of the above conditions for appearance of the accused all the conditions referred above shall stand relaxed;

[i]the petitioners shall not tamper with the evidence or witness either during investigation or trial;

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

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[k] On breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners are 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].**

23-10-2026

PNM/KU

To

1. The Judicial Magistrate No.I, Karur District.

2. The Superintendent, Sub Jail**,** karur.

3. The Inspector Of Police, Karur Town Police Station,
   Karur district.

4. The Additional Public Prosecutor,
   Madurai Bench of Madras High Court,
   Madurai.

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DR. P. MURUGAN, J.
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