

(2026) 01 MAD CK 1745

In the Madras High Court

Case No : Criminal Original Petition No. 159 Of 2026

G. Venkadesan

APPELLANT

Vs

State Of Tamil Nadu

RESPONDENT

Date of Decision : 08-01-2026

Acts Referred:

Mines And Minerals (Development And Regulation) Act, 1957 — Section 21(1)
Bharatiya Nyaya Sanhita, 2023 — Section 269

Citation : (2026) 01 MAD CK 1745

Hon'ble Judges : K.Rajasekar, J

Bench : Single Bench

Advocate : R. Ganesh Kumar, A. Gopinath

Judgement

K.Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 26.11.2025 for the offences punishable under Sections 303(2), 326(a) r/w 21(1) of Mines and Minerals (Development and Regulation) Act 1957 in Crime No.312 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 17.11.2025, while the respondent police were on their routine patrol duty, they intercepted a Tipper lorry bearing Registration No.TN-55-R-8686 and found that the accused/ A2 had illegally transported 2 units of river sand in the said lorry without any valid permit; that based on the confession of the arrested accused, the petitioner herein was arrayed as an accused and subsequently he was arrested. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he is in judicial custody since 26.11.2025; that the co-accused/ A2 was already released on bail by this Court, vide order dated 26.11.2025 in CrI.O.P.No.32386 of 2025; that the petitioner herein is the owner of the said lorry and he was not aware about the illegal transportation of river sand; and that the petitioner is ready to abide by any

condition that may be imposed by this Court, hence prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and submitted that there are totally two accused involved in this case and the petitioner is arrayed as A1; that the petitioner herein has four previous cases of similar in nature; that the investigation of this case is pending.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions of the learned counsel on either side and this Court has dismissed the earlier application of the petitioner in Crl.O.P.No.34539 of 2025 vide order dated 17.12.2025 and the petitioner is in judicial custody from 26.11.2025, this Court is inclined to grant bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties, for a like sum to the satisfaction of the learned Judicial Magistrate No:II Tirupattur , and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the Judicial Magistrate No:II Tirupattur daily at 10.30 a.m., for a period of six weeks and thereafter as and when required for interrogation by the respondent police.

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

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] 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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.