

(2026) 08 MAD CK 1260
In the Madras High Court, Madurai Bench
Case No : CRL OP(MD). No. 16310 of 2026

Manikandan

APPELLANT

Vs

State of Tamil Nadu

RESPONDENT

Date of Decision : 04-08-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 303(2), 269
Mines and Minerals (Development and Regulation) Act, 1957 — Section 21(1)

Citation : (2026) 08 MAD CK 1260

Hon'ble Judges : K. Rajasekar, J.

Bench : Single Bench

Advocate : For Petitioner: Mr.B.Jameelarasu, Advocate; For Respondent:
Mr.N.Balasubramanian, Counsel for State of TN (Crl. Side)

Final Decision : Allowed

Judgement

The petitioner / Accused, who was arrested and remanded to judicial custody on 23.07.2026, for the offences punishable under Sections 303(2) of BNS r/w.21(1) of MMDR Act, in Crime No.214 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 23.07.2026 at about 03.00 p.m., on secret information, the respondent police went to the occurrence place. At that time, the petitioner attempted to transport ½ unit of river sand illegally. Hence, the case was registered and the petitioner was arrested.

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 the petitioner is in judicial custody from 23.07.2026 and ready to co-operate for the investigation. Hence, he prayed bail for the petitioners.

4. The learned Counsel appearing for the State reiterated the prosecution case and reported that the petitioner has one previous case under TNPPDL Act.

Investigation in this case is still pending. Hence, he opposed to grant of bail to the petitioner.

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

6. Considering the nature of the allegations, though the petitioner has one previous case, it is under TNPPDL Act, that the property was recovered and also considering the period of incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner, subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate, Pattukkottai, Thanjavur District**, and on further conditions that:

[b] the petitioner shall report before the respondent police, daily at 10.30 a.m., for a period of four weeks, 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. State of Kerala [(2005)AIR SCW 51730].

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