
(2026) 02 MAD CK 1724

In the Madras High Court, Madurai Bench

Case No : Criminal Original Petition (MD) No. 2217 Of 2026

Vignesh

APPELLANT

Vs

State Of Tamilnadu

RESPONDENT

Date of Decision : 05-02-2026

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 269, 303(2)
Mines And Minerals (Development And Regulation) Act, 1957 — Section 21(4)

Citation : (2026) 02 MAD CK 1724

Hon'ble Judges : S.Srimathy, J

Bench : Single Bench

Advocate : S.Sathyachidambaram, E.Antony Sahaya Prabahar

Judgement

S.Srimathy, J

1. The petitioner, who was arrested and remanded to judicial custody on 12.01.2026 for the offences punishable under Section 303(2) of BNS, 2023 and Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957, in Crime No.12 of 2026, on the file of the respondent police, seeks bail.
2. The case of the prosecution is that the petitioner illegally transported one unit of river sand. Hence, the complaint.
3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 12.01.2026. Hence, he seeks bail to the petitioner.
4. The learned Additional Public Prosecutor submitted that the petitioner has eight previous cases, out of which, three cases are similar in nature. Hence, he opposed for grant of bail to the petitioner.
5. Taking into consideration of the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this Court is

inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on 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.III, Trichy District, and on further conditions that :-

[a] the petitioner 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;

[b]the petitioner is directed to deposit a sum of Rs.7,000/-(Rupees Seven thousand only) to the credit of the Correspondent, Sethupathy Pandithurai Higher Secondary School Parent, having account in State Bank of India, Karimedu Branch, Account No.30033864969, Account Type:Regular Savings Bank Account, CIF No: 85019457624, MICR Code:625002017; On such deposit being made, the learned Magistrate shall accept the sureties furnished by the petitioner;;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

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

[f] 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 is 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];

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