



**THE COURT OF THE PRL.DISTRICT AND SESSIONS JUDGE,
MANDYA.**

PRESENT

SRI.SUBRAMANYA J.N.,

B.A., LL.M.

**Prl.District and Sessions Judge,
Mandya.**

Dated this the 6th day of April, 2026.

CRL.MISC. NO.: 260/2026.

Petitioner :-

Prasad C.S. @ Annaiah,
S/o Shivalingaiah,
Aged about 31 years,
R/o Chunchagahalli Village,
Kasaba Hobli, Maddur Taluk,
Mandya District.

(Rptd. by Sri.P.Mahalingaiah,
Advocate)

.VS.

Respondent:-

State by
Geologist,
Mines and Geology
Department, Mandya

(Rptd. by Public Prosecutor,
Mandya.)

ORDER

The petitioner being sole accused in
C.C.133/2026 (PCR.No.851/2025) pending on the file of
II Addl.Civil Judge and JMFC, Maddur registered for the
offences punishable under Sections 4, 4(1A), 21 of Mines

and Minerals (Development and Regulation) Act, 1957 (Amendment 2015) and Rules 3(1), 42(1), 43, 44 of Karnataka Minor Mineral Concession Rules, 1994 (Amendment 2023) presented the petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (under Section 438 of Cr.P.C.) seeking anticipatory bail.

2. After receipt of the copy of the petition, on 01.04.2026 the learned Public Prosecutor filed objection and enclosures.

3. I heard arguments submitted on behalf of both parties and perused entire records.

4. On the basis of the materials on record, following points would arise for my consideration;

1) Whether the petitioner/accused made out sufficient grounds to grant anticipatory bail as sought in the petition?

2) What order?

5. On the basis of the materials available in the file, my finding to the above Points are as follows:-

Point No.1	:	In the Affirmative
Point No.2	:	As per final order for the following:

REASONS

6. **Point No.1:-** In the petition and in the argument the learned Advocate appearing for the petitioner/accused asserted the following points:

- a) On the basis of the complaint presented by the respondent/Geologist the jurisdictional Court registered C.C.No.133/2026 against the petitioner for the offences punishable under Sections 4, 4(1A), 21 of Mines and Minerals (Development and Regulation) Act, 1957 (Amendment 2015) and Rules 3(1), 42(1), 43, 44 of Karnataka Minor Mineral Concession Rules, 1994 (Amendment 2023).
- b) The complainant alleged that on 04.12.2025 when along with Village Administrative Officer inspected Shimsha river bund of Hulikere Village, Maddur came to know that the petitioner illegally did sand mining activities by using koppariges, stored 16 Metric Tons ordinary sand, royalty worth of Rs.11,200/- without valid license/permit.
- c) Allegations made in the complaint are all false and concocted.

- d) There are no reasonable grounds to believe that the petitioner involved in the alleged offence.
- e) Offences alleged to have been committed by the petitioner, are not punishable with death or imprisonment for life.
- f) The petitioner is ready to abide conditions that may be imposed by this Authority.

7. In the lengthy objection and argument the learned Public Prosecutor asserted the following important points:

- a) Petition filed seeking anticipatory bail is not maintainable either in law or on facts.
- b) On the basis of the complaint presented by Geologist, jurisdictional Court registered C.C.No.133/2026 against the petitioner for the offences punishable under Sections 4, 4(1A), 21 of Mines and Minerals (Development and Regulation) Act, 1957 (Amendment 2015) and Rules 3(1), 42(1), 43, 44 of Karnataka Minor

Mineral Concession Rules, 1994 (Amendment 2023).

- c) The offences alleged to have been committed by the petitioner are punishable with imprisonment which may be extended up to 5 years and fine which may be extended up to Rs.5,00,000/-.
- d) Complainant has filed complaint alleging that in Shimsha river bund of Hulikere Village, Maddur petitioner did sand mining activities by using koppariges, stored 16 Metric Tons ordinary sand, royalty worth of Rs.11,200/- without license/permit.
- e) Already two cases (P.C.R.No.11/2026 and 851/2025) have been registered against the petitioner.
- f) In case of granting of anticipatory bail to the petitioner, there is likelihood of repetition of similar activities, tampering the prosecution witnesses and flee from the process of the Court.

8. Copy of the complaint, order sheet pertaining to C.C.133/2026 pending on the file of II Civil Judge

and JMFC, Maddur shows that on the basis of the complaint dated 12.12.2025 the jurisdictional Court registered C.C.No.133/2026 against the petitioner for the offences punishable under Sections 4, 4(1A), 21 of Mines and Minerals (Development and Regulation) Act, 1957 (Amendment 2015) and Rules 3(1), 42(1), 43, 44 of Karnataka Minor Mineral Concession Rules, 1994 (Amendment 2020).

9. In the complaint, complainant alleged that on 04.12.2025 when along with Village Administrative Officer inspected Shimsha river bund of Hulikere Village, Maddur came to know that the petitioner illegally did sand mining activities by using koppariges, stored 16 Metric Tons ordinary sand, royalty worth of Rs.11,200/-. without valid license/permit.

10. Record reveals that during investigation Geologist/complainant recorded the statement of Anjanappa Maddi, Village Administrative Officer, K.Bellur Circle.

11. The offences alleged to have been committed by the petitioner are not punishable with either death penalty or imprisonment for life.

12. In the present case, the prosecution has not disputed the residential address and status of the petitioner as noted in the complaint and petition.

13. Hence, I have inferred that it is fit and proper to grant anticipatory bail to the petitioner by imposing suitable conditions to protect the interest of the investigating agency/complainant and the society at large.

14. Hence, I came to conclusion that the petitioner has made out sufficient grounds to grant anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (under Section 438 of Cr.P.C.) as sought in the petition. Hence, I answer point No.1 in the **“Affirmative”** and pass the following:-

ORDER

The petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (under Section 438 of Cr.P.C.) by petitioner/accused/Prasad C.S. @ Annaiah is hereby allowed.

The petitioner/accused is entitle to be released on bail in C.C.133/2026 pending on the file of II Addl.Civil Judge and JMFC,

Maddur by executing a personal bond for Rs.1,00,000/- (Rupees One Lakh only) with a surety for like sum subject to following conditions:

- 1) The petitioner/accused shall appear before Jurisdictional Court in C.C.133/2026 within 30 days from today.
- 2) The petitioner/accused shall appear before the Court of law on each and every date of hearing till final conclusion of the case.
- 3) The petitioner/accused shall not indulge in any criminal activities in contravention of MMDR Act, 1957, KMMC Rules, 1994 or any other criminal law for the time being in force.
- 4) The petitioner/accused shall not tamper the prosecution witnesses in any manner.

Dictated to the Stenographer directly on the computer, fed by him, corrected, print taken and pronounced by me in the Open Court on this the **6th day of April, 2026.**

(SUBRAMANYA J.N.)

Prl.District and Sessions Judge,
Mandya.