

**IN THE COURT OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,
COIMBATORE.**

**Present: Tmt. G. VIJAYA, B.A., M.L., PGDCFS,
PRINCIPAL DISTRICT & SESSIONS JUDGE, COIMBATORE**

Monday, this the 09th day of March, 2026

CRIMINAL MISCELLANEOUS PETITION No.870/2026

Ramesh (Age 49 years)
S/o. Parthasarathy.

... Petitioner / Accused

/vs/

State, Rep. by
through the Inspector of Police,
Chettipalayam Police Station,
Crime No.65/2026.

**Offences:u/s.21(1) of Mines and Minerals (Development And Regulation) Act
r/w 303(2) of BNS.**

Through the Public Prosecutor, Coimbatore.

... Respondent

(The District Munsif - Cum- Judicial Magistrate Court, Madukkarai.)

This petition filed on behalf of the petitioner to release him on bail u/s.483
of BNSS.

This petition is coming on this day for final hearing before this Court in the
presence of **Tvl. G. Sathiyamoorthy, and R. Kaviyarasu**, Advocates for the
Petitioner/ Accused and **Thiru. V. Ravichandran, Public Prosecutor**, represented
for State, upon perusing the petition submitted and upon hearing both side
arguments, this Court pronounced the following:-

ORDER

Heard both side.

The petitioner is the accused in Crime No.65/2026 of Chettipalayam Police
Station, for the alleged offence u/s.21(1) of Mines and Minerals (Development And
Regulation) Act r/w 303(2) of BNS, he has filed this petition, seeking grant of bail.

2. The case of the prosecution is that A-1 is the driver of the vehicle. A-2 is the owner of the vehicle i.e., Tipper lorry. On the date of occurrence, A-1 illegally transported 3 units of gravel sane, in the vehicle belongs to A-2 without any valid transit pass. Hence, the present case.

3. The learned counsel for the petitioner submitted that the material has been taken from the private crusher. The petitioner is innocent and he has been falsely implicated in this case and he never indulged in any such activities as alleged and he is in judicial custody for the past 11 days and prays to enlarge the petitioner on bail.

4. The learned Public Prosecutor submitted that there are two accused. **The petitioner is arrayed as A-1.** The defacto complainant is the Special Deputy Tahsildar, Geology and Mining. A-1 is the driver of the vehicle. A-2 is the owner of the vehicle i.e., Tipper lorry. On the date of occurrence, A-1 illegally transported 3 units of gravel sane on the instruction given by A-2, in the vehicle belongs to A-2 without any valid transit pass. In this case, the accused had taken the material from private land and transported the same from Periyakuyili to Singanallur. No previous case is reported against the petitioner. Investigation is still pending.

5. After considering the submissions, considering the nature of offence, having regard to the period of custody undergone by the petitioner, having regard to the fact that the material has been taken from private land and complaint has not been lodged by the owner of the land, no previous case is reported against the petitioner, **this Court is inclined to grant bail to the petitioner subject to the following conditions:-**

(i) The petitioner is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- with two sureties for a like sum each to the satisfaction of the District Munsif-cum-Judicial Magistrate, Madukkarai.

(ii) 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.

(iii) The petitioner is directed to sign before the respondent police, daily at 10.00 a.m. for a period of 15 days.

(iv) The petitioner shall not abscond either during investigation or trial.

(v) The petitioner shall not tamper with evidence or witness either during investigation or trial.

(vi) 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]**.

(vii) If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS.

This order is dictated to steno-typist, typed by her, corrected and pronounced by me on this 09th day of March, 2026.

PRINCIPAL DISTRICT & SESSIONS JUDGE,
COIMBATORE.

CC to :

1. The District Munsif-cum-Judicial Magistrate Court, Madukkarai.
2. The Superintendent, Central Prison, Coimbatore.
3. The Public Prosecutor, Coimbatore.
4. The Inspector of Police, Chettipalayam Police Station,
5. Counsel for the Petitioner / Accused.