

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
CUDDALORE DISTRICT, CUDDALORE

Present: Tmt. G.Subathira Devi, M.L.,
Principal Sessions Judge,
Cuddalore.

Monday, the 1st day of June, 2026

Criminal Miscellaneous Petition No. 1832/2026

Gunasekar, age 31, S/o.Subramaniyan	...	Petitioner/Accused
	.Vs.	
S.H.O. Veppur P.S., Cr.No.164/2026	...	Respondent/Complainant

This petition is coming for hearing before me on this day in the presence of Thiru.M.Thiruganamoorthy, Advocate for the Petitioner/Accused and of Public Prosecutor for the Respondent and this Court made the following

ORDER

This petition is filed U/s.483 of BNSS, for seeking bail.

Prosecution case is that the FIR registered as against the Petitioner/Accused for the alleged offences punishable U/Ss.303(2) and 326(a) of BNS R/w.21(1) of MM Act for the alleged occurrence on 18.05.2026 and the Petitioner/Accused was remanded on 18.05.2026.

The Learned Counsel for the Petitioner/Accused has contended that the Respondent Police have registered an FIR as against the Petitioner/Accused and he has been falsely implicated in this case and he has not committed any offence as alleged in FIR. No previous case is pending against him. Hence, prays to allow the petition.

The Petitioner/Accused is in judicial custody for the past 15 days.

The Learned Public Prosecutor has contended that the Petitioner/Accused transported 1/4 unit of sand. No Previous case is pending against him and strongly opposed to grant bail to the Petitioner/Accused.

Considering the representations made by both sides and in view of the rehabilitation undertaken under the Tamil Nadu District Mineral Foundation Rules, 2017, and in order to curb the illegal sand mining activities, this Court is of the opinion that the Petitioner/Accused is directed to deposit a sum of **Rs.750/-** as non refundable deposit to the credit of the "***District Mines and Minerals Foundation Trust, Cuddalore***" without prejudice to his rights and contentions before the trial court.

Merely because the Petitioner/Accused has deposited the said amount, it would not amount to admission of his guilt. The guilt of the accused has to be considered at the time of trial.

Heard both sides.

Considering the facts and circumstances, this Court is inclined to grant bail to the Petitioner/Accused with certain conditions.

Accordingly, the Petitioner/ Accused is directed to deposit a sum of **Rs.750/- (Rupees seven hundred and fifty only)** as non refundable deposit to the credit of the "***District Mines and Minerals Foundation Trust, Cuddalore***" and to produce the original counterfoil before the said Office and obtain its proper acknowledgment in his name with **Crl.M.P.No.1832/2026** from the said office and produce the receipt before the **Learned Judicial Magistrate No.I, Vridhachalam** the Petitioner/Accused is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the **Learned Judicial Magistrate No.I, Vridhachalam** and on further conditions that

(i) The Petitioner/Accused and 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.

(ii) The Petitioner/Accused shall deposit a sum of **Rs.750/- (Rupees seven hundred and fifty only)** as non refundable deposit to the credit of the concerned District Mineral Foundation Trust.

(iii) The Petitioner/Accused shall report before the SHO, Respondent Police Station daily at 10.30 A.M. for a period of two weeks and thereafter as and when required for interrogation.

(iv) The Petitioner/Accused shall not tamper with evidence or witness either during investigation or trial.

(v) The Petitioner/Accused shall not abscond 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/Accused in accordance with law as if the conditions have been imposed and the Petitioner/Accused 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 absconds, a fresh FIR can be registered under section 269 of BNS.

Accordingly, the petition is allowed.

Pronounced by me in Open Court, this the 1st day of June 2026

**Principal Sessions Judge,
Cuddalore.**

To : The Judicial Magistrate No.I, Vridhachalam.
Copy to : S.H.O. Veppur PS.
The Superintendent, Central Prison, Cuddalore.

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E-Mail only