

In the Court of Principal Sessions Judge, Kanniyakumari District  
at Nagercoil.

Present : Thiru B. Karthikeyan, B.L.,  
Principal Sessions Judge.

Wednesday, the 11<sup>th</sup> day of March, 2026.

CrI.M.P. No. 717/2026

(CNR.No.TNKK01-001153-2026)

Rajasingh (A2)

S/o. Sivalingam

.. Petitioner

/Vs./

The State of Tamil Nadu,

Through the Inspector of Police,

Karungal Police Station,

Crime No. 21/2026 of Karungal Police Station

Rep. by Public Prosecutor,

Nagercoil.

.. Respondent

This petition is filed by Advocate Thiru A. Paul Raj, u/s 482 of  
BNSS praying to grant anticipatory bail to the petitioner.

ORDER

Heard both sides. Perused the petition.

2. The petitioner/accused is alleged to have committed the  
offence u/s 303(2) of BNS and Sec. 21(4) of Mines and Minerals  
(Development and Regulation) Act.

3. The case of the prosecution is that on 27.01.2026 at about 12.30 A.M. the Sub Inspector of Police while conducting vehicle check up at Nediyaivilagam found that the 1<sup>st</sup> accused driven a tempo owned by the 2<sup>nd</sup> accused bearing Reg. No. TN74 AM 0227 loaded with stone without any pass or permit. Hence the charge.

4. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and he is in no way connected with this case and the investigation of the case is almost over and the petitioner is ready to abide by any condition and prayed for anticipatory bail to the petitioner.

5. The learned Public Prosecutor opposed the application and submitted that on 27.01.2026 the 1<sup>st</sup> accused illegally broken rocks available in the property of A3 and illegally transported the same in a tempo bearing Reg. No. TN74 AM 0227 without transit pass and A1 was arrested by the police and this petitioner/A2 is the owner of the tempo and the vehicle with contraband seized and the investigation of the case is not yet over and the respondent police filed a private complaint as well as the petition for confiscation of the vehicle before the Judicial Magistrate, Eraniel through e-filing No. C202600043 and he has serious objection to grant anticipatory bail to the petitioner and the petition may be dismissed.

6. Considering the nature of the offence alleged to have

been committed by the petitioner/Accused and also considering the submission of the learned Public Prosecutor that the vehicle seized and now the respondent police filed a petition for confiscation of the above vehicle and a private complaint through e-filing, this court is inclined to grant anticipatory bail to the petitioner/Accused with conditions.

7. In the result, in the event of arrest or on his appearing before the court concerned the petitioner is ordered to be enlarged on anticipatory bail on his executing a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of Judicial Magistrate, Eraniel subject to the following conditions :-

- i) The petitioner shall appear before the court concerned within 15 days from today without fail.
- ii) After release, the petitioner shall appear and sign before the respondent police daily at 10.00 A.M. until further orders.
- iii) The petitioner shall also make himself available before the respondent as and when required.
- iv) The petitioner shall not tamper with the witnesses or in any manner interfere with or put obstacle to the smooth progress of investigation.
- v) The petitioner shall not leave the jurisdictional police limit without prior permission.

If there is any violation of condition, the Investigation Officer is with in his discretion to approach the court of the learned Judicial Magistrate for cancellation of bail even though bail granted by the Sessions Court as per the ruling of the Hon'ble Supreme Court reported in **P.K.Shaji /Vs./ State of Kerala, (2005) AIR S.C.W. 5560.**

Pronounced by me in open court this the 11<sup>th</sup> day of March, 2026.

Principal Sessions Judge,  
Kanniyakumari at Nagercoil.

To  
The Judicial Magistrate, Eraniel. (through e-mode).  
The Inspector of Police, Karungal Police Station.  
(through court cell e-Mode)  
The counsel for the petitioner.