

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

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

Wednesday, the 11th day of March, 2026.

CrI.M.P. No. 792/2026

(CNR.No.TNKK01-001265-2026)

Sudarmani, S/o. Chellappa

.. Petitioner

/Vs./

The State of Tamil Nadu,
Through the Inspector of Police,
Anjugramam Police Station,
Crime No. 46/2026 of Anjugramam Police Station
Rep. by Public Prosecutor,
Nagercoil.

.. Respondent

This petition is filed by Advocate Thiru. S. Varatharajan, u/s 483
of BNSS praying to grant 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.

3. The case of the prosecution is that on 12.02.2026 at 3.00 P.M., while the police party conducting vehicle checkup at Anjugramam Check Post, at that time the petitioner/Accused driven a taurus lorry bearing Reg. No. TN59 CD 3961, the police party stopped the vehicle and conducted a search found that the accused loaded with M.sand without proper 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 no such occurrence was happened as alleged in the FIR and the vehicle with contraband seized and the petitioner is in judicial custody from 12.02.2026 and the earlier bail petition in CrI.M.P.No.333/2026 was dismissed by the Judicial Magistrate No.III, Nagercoil on 27.02.2026 and the investigation of the case is almost over and the petitioner is ready to abide by any condition and prayed for bail to the petitioner.

5. The learned Public Prosecutor opposed the application and submitted that on 12.02.2026 this petitioner illegally transported 6 units of M.sand in a taurus lorry bearing Reg. No. TN59 CD 3961 without transit pass and he was arrested by the police and the vehicle with contraband seized and A2 is the owner of the vehicle and the investigation of the case is not yet over and prosecution filed a petition for confiscation of vehicle

before the Judicial Magistrate No.III, Nagercoil through e-filing No. C202600092 and he has serious objection to grant bail to the petitioner and the petition may be dismissed.

6. Considering the nature of the offences alleged to have been committed by the petitioner/Accused and also considering the submission of the learned Public Prosecutor that the vehicle with contraband seized and now the respondent police filed petition for confiscation of the above vehicle through e-filing and also considering the period of incarceration of the petitioner/accused i.e for the past 27 days, this court is inclined to grant bail to the petitioner/Accused with conditions.

7. In the result, the petitioner/accused is ordered to be enlarged on bail on his executing a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of the Judicial Magistrate No.III, Nagercoil and after release the petitioner shall appear and sign before the respondent police daily at 10.00 A.M. until further orders and accordingly this petition is allowed.

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 11th day of March, 2026.

Principal Sessions Judge,
Kanniyakumari at Nagercoil.

To

The Judicial Magistrate No.III, Nagercoil. (through e-mode).

The Secretary, District Legal Services Authority, Nagercoil (through e-mode)

The Inspector of Police, Anjugramam Police Station.

(through court cell e-Mode)

The Superintendent, District Jail, Nagercoil. (through e-Mode)

The counsel for the petitioner.