

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. 796/2026

(CNR.No.TNKK01-001277-2026)

Kumar, S/o. Narayanan (A2)

.. 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 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.

3. The case of the prosecution is that on 12.02.2026 at 3.00 P.M., near Anjugramam Check Post, while the police party conducting vehicle checkup, a taurus lorry bearing Reg. No. TN59 CD 3961 was coming from north, loaded with M.sand. The vehicle was intercepted by the police and the driver of the lorry along with M.sand was recovered and on enquiry, it was found that the petitioner is the owner of the lorry. Hence the charge.

4. The learned counsel for the petitioner submitted that the petitioner is innocent and he is the owner of the vehicle 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 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 12.02.2026 the 1<sup>st</sup> accused 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 anticipatory 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 the respondent police filed a petition for confiscation of the above vehicle 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 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 No.III, Nagercoil 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 No.III, Nagercoil. (through e-mode).  
The Inspector of Police, Anjugramam Police Station.  
(through court cell e-Mode)  
The counsel for the petitioner.