

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

Present : Thiru K. Dhanasekaran, M.L., L.L.M.  
Principal Sessions Judge.

Tuesday, the 9<sup>th</sup> day of June, 2026.

Crl.M.P. No.1541/2026

(CNR.No.TNKK01-002481-2026)

A. Raju, S/o. Arulappan (A1)

.. Petitioner

/Vs./

The State of Tamil Nadu,  
Through the Inspector of Police,  
Arumanai Police Station,  
Crime No. 76/2026 of Arumanai Police Station  
Rep. by Public Prosecutor,  
Nagercoil.

.. Respondent

Already this petition has been filed by Advocate  
Thiru T. Santhosh Kumar, before the Vacation Sessions Court,  
Kanniyakumari at Nagercoil as Crl.M.P. No.37/2026, u/s 482 of BNSS  
praying to grant anticipatory bail to the petitioner and subsequently it was  
transferred to this court and renumbered as Crl.M.P. No.1541/2026.

ORDER

Heard both sides. Perused the petition.

2. The petitioner/accused is alleged to have committed the offence u/s 303(2) and 62 of BNS and Sec. 21(1) of Mines and Minerals (Development and Regulation) Act, 1957.

3. The case of the prosecution is that on 02.04.2026 at about 5.30 A.M. while the police party was on rounds at Arumanai to Uthiramcode road and reached Vandarathottam near Muzhucode YMCA, a tempo bearing Reg. No. TN59 BT 3088 was parked in a property, the petitioner and one known person were loading rubble granite stones in a tempo and on seeing the police party, they escaped from the scene of occurrence. On enquiry, the police found that rocks were blastered and stored therein for selling without obtaining any transit pass. 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 the fact is that he was developing his property for constructing a house therein and labours were engaged for cleaning. The police never inspected the property and no tempo was loaded with granite rubbles as alleged. The petitioner never committed any offence as alleged and he has no previous cases and this is the 3<sup>rd</sup> petition and the earlier petitions in CrI.M.P. Nos.1206/2026 and 1351/2026 were dismissed by this court on 17.04.2026 and 29.04.2026 and the investigation of the case is

almost over and the co-accused were granted anticipatory bail and thus, there is change of circumstances 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 02.04.2026 the petitioner and another accused illegally transported rubble granite stone in a tempo bearing Reg. No. TN59 BT 3088 and on seeing the police, they ran away from the scene of occurrence. Subsequently, the police party inspected the site and found that rocks were blastered in the property without any licence. A2 is the owner cum driver of the tempo, A1 is the load man and the vehicle along with contraband seized. The prosecution has filed confiscation petition before the concerned Judicial Magistrate in CrI.M.P. No.800/2026 and whereabouts of one of the accused is not known to the prosecution and so, a private complaint not yet filed and the investigation of the case is not yet over and the earlier petition in CrI.M.P. No.1351/2026 was dismissed by this court only on 29.04.2026 and there is no change in circumstances and he has serious objection to grant anticipatory bail to the petitioner and the petition may be dismissed.

6. After hearing rival submissions raised on behalf of both side, the prosecution stated that confiscation petition has been filed before the court concerned and a private complaint is yet to be filed. Considering the

above and also considering the serious nature of the offences alleged to have been committed by the petitioner/accused and also considering the fact that the earlier bail application was dismissed by this court only on 29.04.2026 after elaborately discussing the matter and there is no change in circumstances, this court is not inclined to grant anticipatory bail to the petitioner/accused at this stage. As such, this petition deserves to be dismissed.

7. In the result, this petition is dismissed.

Pronounced by me in open court this the 9<sup>th</sup> day of June, 2026.

Principal Sessions Judge,  
Kanniyakumari at Nagercoil.